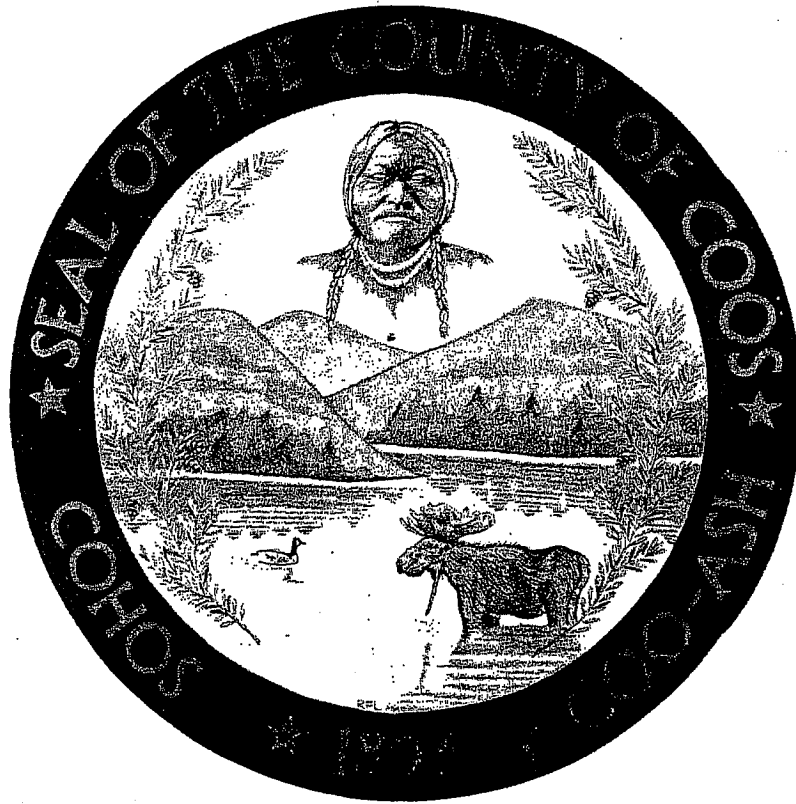


ZONING ORDINANCES



COÖS COUNTY UNINCORPORATED PLACES

Adopted April 20, 1991

ZONING ORDINANCES

COOS COUNTY UNINCORPORATED PLACES

ADOPTED:

04/20/91

ZONING ORDINANCES
FOR THE UNINCORPORATED PLACES
OF
COOS COUNTY, NEW HAMPSHIRE

THE UNINCORPORATED PLACES:

Atkinson & Gilmanton Academy Grant
Bean's Grant
Bean's Purchase
Cambridge
Chandler's Purchase
Crawford's Purchase
Cutj's Grant
Dix's Grant
Dixville
Erving's Grant
Green's Grant
Hadley's Purchase
Kilkenney
Low & Burbank Grant
Martin's Location
Millsfield
Odell
Pinkham's Grant
Sargeant's Purchase
Second College Grant
Success
Thompson/Meserve Purchase
Wentworth Location

All inquiries and correspondence regarding these regulations
should be addressed to:

Clerk, Coos County Planning Board
P. O. Box 10
W. Stewartstown, N. H. 03597
(603) 246-3321

COOS COUNTY UNINCORPORATED PLACES

ZONING ORDINANCE

TABLE OF CONTENTS

| | | | |
|--------------|---|------|----|
| ARTICLE I. | Title, Purpose, Grant of Power and Interpretation | Page | 1 |
| ARTICLE II. | General Provisions | Page | 2 |
| ARTICLE III. | Definitions | Page | 4 |
| ARTICLE IV. | Establishment of Districts | | |
| 4.01 | Districts | Page | 15 |
| 4.02 | Division into Districts | Page | 15 |
| 4.03 | Protected Districts | Page | 15 |
| 4.03A | Aquifers (PD1) | Page | 16 |
| 4.03B | Flood Prone Areas (PD2) | Page | 17 |
| 4.03C | Critical Wildlife Habitat (PD3) | Page | 18 |
| 4.03D | Fish Spawning Areas (PD4) | Page | 21 |
| 4.03E | Shorelines of Rivers, Streams, Ponds, Lakes (PD5) | Page | 22 |
| 4.03F | Steep Slopes & High Elevations (PD6) | Page | 23 |
| 4.03G | Wetlands (PD7) | Page | 24 |
| 4.03H | Unusual Area (PD8) | Page | 26 |
| 4.04 | Management Districts (MD) | Page | 27 |
| 4.05 | Development Districts (DD) | Page | 28 |
| 4.06 | General Development District (DD-G) | Page | 28 |
| 4.07 | Planned Development District (DD-P) | Page | 30 |
| 4.08 | Residential Development District (DD-R) | Page | 36 |
| 4.09 | Non-Jurisdictional District (NJD) | Page | 37 |
| 4.10 | Zoning Maps | Page | 37 |
| 4.11 | Interpretation of District Boundaries | Page | 37 |
| 4.12 | Interpretation of Ordinance | Page | 37 |
| ARTICLE V. | General Land Use Standards | | |
| 5.01 | Mineral Extraction | Page | 39 |
| 5.02 | Timber Harvesting | Page | 39 |
| 5.03 | Pesticide Application | Page | 39 |
| 5.04 | Sewage Disposal | Page | 39 |
| 5.05 | Water Impoundments | Page | 39 |
| 5.06 | Wetlands | Page | 39 |

| | | | |
|---------------|--|------|----|
| ARTICLE VI. | Earth and Construction Aggregate Excavation | | |
| | 6.01 Regulations | Page | 40 |
| | 6.02 Land Use Standards | Page | 40 |
| | 6.03 Decision Process | Page | 41 |
| | 6.04 Applicability | Page | 41 |
| ARTICLE VII. | Dimensional Requirements | | |
| | 7.01 Minimum Lot Size | Page | 42 |
| | 7.02 Minimum Shoreline Frontage | Page | 44 |
| | 7.03 Minimum Road Frontage | Page | 44 |
| | 7.04 Minimum Setbacks | Page | 45 |
| | 7.05 Maximum Lot Coverage | Page | 45 |
| | 7.06 Maximum Building Height | Page | 45 |
| | 7.07 Waivers | Page | 46 |
| ARTICLE VIII. | Signs | | |
| | 8.01 On-Premises Signs | Page | 48 |
| | 8.02 Criteria for Sign Approval | Page | 48 |
| | 8.03 Exempt Signs | Page | 49 |
| | 8.04 Regulations for All Signs | Page | 50 |
| ARTICLE IX. | Non-Conformance | Page | 52 |
| ARTICLE X. | Administration & Enforcement | | |
| | 10.01 Administrative Official | Page | 53 |
| | 10.02 Permit Required | Page | 53 |
| | 10.03 Previously Approved Permit | Page | 53 |
| | 10.04 Certificate of Use and Occupancy | Page | 53 |
| | 10.05 Permit & Certificate Fees | Page | 54 |
| | 10.06 Permit Time Limits | Page | 54 |
| | 10.07 Violations | Page | 54 |
| | 10.08 Prosecution of Violation | Page | 54 |
| | 10.09 Penalty | Page | 55 |
| ARTICLE XI. | Board of Adjustment | Page | 56 |
| ARTICLE XII. | Variances | Page | 57 |
| ARTICLE XIII. | Miscellaneous Legal Provisions | Page | 59 |
| TABLE I. | Minimum Lot Size By Soil Type | Page | 60 |

Article I: TITLE, PURPOSE, GRANT OF POWER AND INTERPRETATION

1.01 TITLE: This ordinance shall be known and may be cited as the "Zoning Ordinance for the Unincorporated Places of Coos County" referred to herein as "the Ordinance".

1.02 PURPOSE: The Coos County Convention and Commissioners find that it is desirable to extend the principles of sound planning, zoning and subdivision control to the unincorporated places of the County; to preserve public health, safety and the general welfare; to conserve and maintain an atmosphere that will enable the citizenry of these places to fulfill their traditional and unique lifestyles; to prevent pollution and conserve water resources in these places; to preserve ecological, historic, aesthetic, and natural values in these places; to encourage appropriate residential, recreational, commercial and industrial uses not detrimental to the proper use or value of these places; to assure the segregation of incompatible uses or activities; to maintain high standards of construction in these places and to mandate prudent set-back requirements near waters and roadways.

1.03 GRANT OF POWER:

I. For the purpose of promoting health, safety and the general welfare of the area, the County adopts this Zoning Ordinance. The Ordinance is designed to regulate and restrict:

- (a) The configuration of buildings and other structures;
- (b) Lot sizes, the percentage of a lot that may be occupied, and the size of yards and other open spaces;
- (c) The density of population; and
- (d) The location and use of buildings, structures and land used for business, industrial, residential, or other purposes.

II. The power to adopt a Zoning Ordinance expressly includes the power to adopt innovative land use controls.

III. In its exercise of the powers granted under this ordinance, the County may regulate and control the timing of development.

1.04 INTERPRETATION: In interpreting and applying the Ordinance, the County shall hold the provisions to be minimum requirements adopted for purposes set forth above.

Article II: GENERAL PROVISIONS

- 2.01 ADOPTION/AMENDMENT OF ZONING ORDINANCE: The County adopted this Zoning Ordinance only after the Planning Board adopted its general statement of goals and objectives for land use in its Master Plan.
- 2.02 APPLICABILITY: The Zoning Ordinance as adopted shall not apply to existing structures or to the existing use of any land or buildings. This ordinance shall apply to the expansion or alteration of a pre-existing non-conforming use.
- 2.03 CONFORMANCE WITH REGULATIONS: No buildings, structures, or land shall hereafter be initially occupied, erected, moved or altered in bulk until the required permits have been issued in accordance with the provisions of Article X of this Ordinance, insuring that the undertaking conforms with the provisions of this Ordinance.
- 2.04 PROHIBITED USES: Uses that are not permitted in a specific district.
- 2.05 REPAIR OR REMOVAL OF DAMAGED AND UNSAFE STRUCTURES: Any structure damaged by fire, wind or other causes shall be repaired or completely cleared of all debris, and all excavations filled to the ground level within a period of one (1) year unless a variance has been obtained. The Board shall notify the owner in writing of a fixed time for repair or removal, except in the case of fire where repair or removal will be within one (1) year of the date of the fire.
- 2.06 LOT RECORDED PRIOR TO THE ADOPTION OF THIS ORDINANCE: Any lot as herein defined, which was legally recorded at the time of adoption or amendment of this Ordinance and which was a buildable lot under the Ordinance in effect immediately prior to the amendment of this Ordinance, shall be deemed a buildable lot.
- 2.07 BUILDING PERMITS ISSUED PRIOR TO ADOPTION OF THIS ORDINANCE: Where construction has begun pursuant to a Building Permit validly issued prior to the effective date of this Ordinance, it may be completed. Construction will be deemed to have begun when all necessary excavations and piers and/or footings shall have been completed.
- 2.08 ESSENTIAL SERVICES EXEMPT: The provisions of this Ordinance shall not apply to customary local utility distribution or collection of lines of water, gas, sewerage, electric and telephone services.
- 2.09 COUNTY EXPENSES: Outside independent review by experts may be required by the Board at any time it is considered necessary. Any such independent review ordered by the

COOS COUNTY UNINCORPORATED PLACES ZONING ORDINANCE

Board, even if it is a review of expert opinions offered by persons retained by the applicant, must be paid for by the applicant.

Article III: DEFINITIONS

For the purpose of this Ordinance, words used in the present tense include the future, the singular number includes plural, and the plural includes singular. The word lot shall include plat or parcel. The word structure shall include the word building, where the context requires. The word used shall include arranged, designed, rented, leased, intended to be used, and occupied. The word shall is mandatory; and the word may is permissive. Certain other terms or words shall be interpreted as follows:

- 3.01 ABUTTER: Any person whose property is located in New Hampshire and/or Maine and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by the county of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII (RSA 672:3).
- 3.02 ACCESSORY USE: Any use customarily incidental, related and clearly subordinate to a principal use on the same lot.
- 3.03 AGRICULTURAL MANAGEMENT ACTIVITIES: Land clearing, tilling, fertilizing, including spreading and disposal of manure and manure sludge, liming, planting, pesticide application, harvesting or cultivating crops, pasturing of livestock and other similar or related activities, but not the construction, creation or maintenance of land management roads.
- 3.04 APARTMENT: Any group of attached or detached buildings generally containing more than two (2) dwelling units (not including trailers or mobile homes) containing two (2) or more living or sleeping rooms arranged for the use of one (1) or more individuals living as a single housekeeping unit with cooking, living, sanitary, and sleeping facilities.
- 3.05 BASEMENT: An area partly underground but having at least one-half (1/2) of its clear ceiling height above the average finished grade level at the foundation. A basement shall be considered as a story if used for dwelling or business purposes.
- 3.06 BODY OF STANDING WATER: A body of surface water that has no perceptible flow and is substantially permanent in nature. Such bodies of water are commonly referred to as man-made or natural lakes and ponds (also see Wetlands).

COOS COUNTY UNINCORPORATED PLACES ZONING ORDINANCE

- 3.07 BOARD OF ADJUSTMENT: The Board of Adjustment of the COOS COUNTY UNINCORPORATED PLACES as established by RSA 673:1.
- 3.08 BUILDING: Any independent structure having a roof with structural supports for the shelter or enclosure of persons, animals, or property.
- 3.09 BUILDING ACCESSORY: A building subordinate to and located on the same lot, the use of which is clearly incidental to that of the main building, such as a detached garage or barn.
- 3.10 CAMPGROUND: Any area, other than a camp site, designed for transient occupancy by camping in tents, camp trailers, travel trailers, motor homes, or similar facility for temporary shelter.
- 3.11 CAMPSITE: Any area designated for transient occupancy by camping primarily in tents or lean-tos; under this definition no camp site shall be designated to accommodate more than thirty (30) overnight visitors and permanent structures shall be limited to privies, fireplaces, picnic tables (with or without roofs), lean-tos and water pumps.
- 3.12 CELLAR: See Basement.
- 3.13 CEMETERY: A parcel of land used only as a burial ground.
- 3.14 CLUSTER: A division of land into lots for use as a single family building sites where said lots are arranged into one or more groups having frontage, area and total yard measurements less than the minimum required in the table of density regulations. The number of lots over the entire tract of land shall not exceed the number of lots permitted under normal application of the area regulations of the district in which the tract of land is located.
- 3.15 COMMERCIAL MINERAL EXTRACTION: Mineral extraction other than extraction of construction aggregate that is incidental to agricultural or forest management activities, sales of 150 cubic yards or less per month, normal landscaping or minor topographical adjustment.
- 3.16 COMMERCIAL SPORTING CAMP: A building or group of buildings devoted primarily to the offering of primitive lodging facilities for a fee to persons primarily in pursuit of primitive recreation or snowmobiling.
- 3.17 COMPATIBLE USE: A land use which is capable of existing in harmony with other uses or resources situated in its immediate vicinity because that use does not adversely affect such other uses or resources.

COOS COUNTY UNINCORPORATED PLACES ZONING ORDINANCE

- 3.18 CONDOMINIUM: Any development which is controlled by the N.H. Condominium Act, RSA 356-B.
- 3.19 COVERAGE: The ratio of the total ground floor area of buildings, including porches, decks, roofs, or other impervious surfaces to the total area of the lot, expressed as a percentage.
- 3.20 DEER WINTERING AREAS: Areas used by deer during winter for protection from deep snows, cold winds, and low temperatures.
- 3.21 DEVELOPMENT: Any land use activity or activities directed toward using, reusing, or rehabilitating air space, land, water or other natural resources, excluding however, such specific uses or classes and categories of uses which by the terms of this Ordinance do not require a permit.
- 3.22 DOCKING OR MOORING STRUCTURE: A structure placed in or near water for the purpose of securing and/or loading or unloading boats.
- 3.23 DUPLEX: A building containing two (2) dwelling units on one lot.
- 3.24 DWELLING UNIT: Housekeeping quarters for one (1) family on one (1) lot.
- 3.25 DWELLING, ONE FAMILY: A detached building designed for or occupied exclusively by one (1) family.
- 3.26 DWELLING, MULTI-FAMILY: A building designed for or occupied exclusively by more than two (2) families living independently of one another.
- 3.27 FAMILY: One (1) or more persons occupying a single housekeeping unit, but including no more than four (4) members that are not related by blood, marriage or adoption.
- 3.28 FLOWING WATER: A surface water within a stream channel that has a perceptible flow and is substantially permanent in nature. Such waters are commonly referred to as rivers, streams and brooks.
- 3.29 FOREST: A plant community predominantly of trees and other woody vegetation growing more or less closely together.
- 3.30 FOREST MANAGEMENT ACTIVITIES: Forest management activities include timber cruising and other forest resource evaluation activities, pesticide or fertilizer application, timber stand improvement, pruning, timber harvesting and other forest product harvesting, regeneration of forest stands, and other similar or associated activities, including the routine maintenance of existing or permitted

land management roads but not the construction or creation of land management roads.

- 3.31 FOREST PRODUCT: Any raw material yielded by a forest.
- 3.32 FRONTAGE: The length of the lot bordering on a public street or water body.
- 3.33 GREEN SPACE: Land not built upon or not covered by gravel or impervious cover which has or can have grass, flowers, shrubs, plants, trees or similar ground cover.
- 3.34 HEIGHT: The vertical distance between the lowest finished grade within one foot of the foundation and the highest point of the roof of a building or structure.
- 3.35 H.I.S.S.: High Intensity Soil Survey. A detailed and extensive soil analysis conducted by a qualified soil scientist.
- 3.36 HOME OCCUPATION: Use of a dwelling for a customary home occupation, such as millinery, dressmaking, hairdressing, real estate, preserving and home canning, or the office of a doctor, dentist, engineer, architect, lawyer, musician, teacher or other recognized professional; provided, however, that such use shall be incidental to the principal use of the dwelling as a residence, and provided further that not more than four (4) persons shall be employed in a home occupation in any location at any one time in addition to the proprietor.
- 3.37 JUNK: Any worn out, cast off, or discarded articles or materials which are ready for destruction or have been collected or stored for salvage or conversion to some use. Any article or material which unaltered or unchanged and without further reconditioning can be used for its original purpose as readily as when new shall not be considered junk.
- 3.38 JUNK YARD: Any area used for the storage of junk or abandonment of two (2) or more unregistered vehicles.
- 3.39 LAND MANAGEMENT ROAD: A route or track consisting of a bed of exposed mineral soil, gravel or other surfacing material constructed for, or created by, the repeated passage of motorized vehicles and primarily for agricultural or forest management activities, including associated log yards but not including skid trails, skid roads, and winter haul roads.
- 3.40 LAND USE SUBDISTRICT: The area located within the boundaries of air, land or water delineated vertically or horizontally by the Board to provide for distinct categories of uses or resources.

- 3.41 LEASE LOT: A parcel of land leased for a specific period of time by a landowner for a specific purpose.
- 3.42 LOT: A parcel of land of at least sufficient size to meet the minimum requirements of this Ordinance for use, coverage, and area to provide required yards and other open spaces.
- 3.43 LOT, CORNER: A lot with frontage on two (2) or more streets at their intersection, where the interior angle of the intersection is less than one hundred thirty-five (135) degrees.
- 3.44 LOT AREA: The area in square feet or acres enclosed by the lot lines of a single lot.
- 3.45 LOT DEPTH: The average horizontal distance from the front lot line to the rear lot line.
- 3.46 LOT WIDTH: The average horizontal distance between the side lot lines at right angles to its depth.
- 3.47 LOT LINE, FRONT (STREET LINE): Any lot line that coincides with a line of a street or a public right-of-way which provides or can provide access to the lot.
- 3.48 LOT LINE, REAR: The lot line most distant from the front lot line, except that in the case of a corner lot, the owner shall have the option of choosing which of the lot lines shall be the rear lot line.
- 3.49 MAJOR RECREATIONAL EQUIPMENT: Boat and boat trailers, travel trailers, pick-up campers or coaches, motorized dwellings, tent trailers, and similar devices.
- 3.50 MANUFACTURED HOUSING: The definition of manufactured housing for the purpose of this ordinance shall be in accordance with the definition provided in NH RSA 674:31 and 32.
- 3.51 MANUFACTURED HOME PARK: Any lot used to accommodate two (2) or more individual manufactured homes, including all accessory buildings, tents, or other appurtenances; regardless of whether a charge is made for such accommodations. A manufactured home park does not include the parking of unoccupied manufactured homes for inspection and sale as a commercial business.
- 3.52 MASTER PLAN: A document prepared and/or adopted by the Planning Board to guide the long-range development of the Unincorporated Places.
- 3.53 MODULAR/SECTIONAL HOME: A detached residential dwelling of conventional wood frame construction designed and fabricated for transportation on streets or highways on a flatbed or

other trailer and arriving at the site where it is to be occupied as a dwelling after assembly operations on a permanent foundation.

- 3.54 MOTEL: A building or a group of buildings, other than private homestead, containing guest rooms designed and used primarily for the accommodation of travelers.
- 3.55 NONCONFORMING LOT: A lot of record at the time this Ordinance or amendment becomes effective but which does not conform with the regulations for the district in which it is located.
- 3.56 NONCONFORMING STRUCTURE: A structure, lawfully existing at the time of adoption of district regulations or subsequent amendment made thereto, that does not conform to the district regulations.
- 3.57 NONCONFORMING USE: A use of air, land, water, or natural resources or a parcel of land, lawfully existing at the time of adoption of district regulations or subsequent amendments made thereto, that does not conform to the district regulations.
- 3.58 NORMAL MAINTENANCE AND REPAIR: Unless otherwise provided, any work necessary to maintain an improvement or structure in its original or previously improved state or condition. Normal maintenance and repair shall not include reconstruction, change in design, change in structure, change in use, change in location, change in size or capacity.
- 3.59 ON PREMISE SIGN: A sign which is located upon the same lot or parcel of real property where the business, facility, or point of interest being advertised is located.
- 3.60 OPEN SPACE: Area that includes either private or public facilities for both active and passive types of recreation including, but not limited to, playgrounds, parks, and undeveloped land of all types.
- 3.61 PARKING SPACE: An off-street space, whether inside or outside of a structure, to be used primarily as parking area for a vehicle.
- 3.62 PERMIT: A written warrant granted by the federal government, the State of New Hampshire, the Planning Board, the Zoning Board of Adjustment, the building inspector or other regulatory body.
- 3.63 PERSON: An individual, firm, association, organization, partnership, trust, company, corporation, state agency or other legal entity.
- 3.64 PLANNING BOARD: The Planning Board of Coos County known as

the Board.

- 3.65 PRIMITIVE RECREATION: Those types of recreation associated with non-motorized travel, including fishing, hunting, hiking, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent and shelter camping, canoe portaging, cross country skiing, snowshoeing, and mountain biking.
- 3.66 PRINCIPAL BUILDING: Any building*other than one which is used for purposes wholly incidental or accessory to the use of another building on the same premises. All buildings on one land parcel related to agricultural management activities, including without limitation the dwelling(s) of the owner or lessee of land used for agricultural management activities, his employees engaged in such use and members of their families, shall be considered as one principal building. All buildings on one land parcel related to forest management activities, including without limitation the dwelling(s) of the owner or lessee of land used for forest management activities, his employees engaged in such use and members of their immediate families, shall be considered as one principal building.
- 3.67 PROJECTING SIGN: A sign which is attached to a wall of a building and extends more than 15 inches from any part of the wall.
- 3.68 PROPERTY LINE: Any boundary between parcels of land owned or leased by different persons or groups of persons.
- 3.69 REMOTE CAMP: A dwelling unit generally consisting of not more than 750 square feet of gross floor area, that is not served by any public utilities.
- 3.70 REMOTE CAMPING SITE: Any area designed for transient occupancy by camping primarily in tents or lean-tos. Permanent structures shall be limited to privies, fireplaces, picnic tables (with or without roofs), lean-tos and water pumps.
- 3.71 RESIDENTIAL LOT: A parcel of land intended for family dwelling use, either single family or duplex.
- 3.72 RIGHT-OF-WAY: A strip of land for public access. This includes all municipal, state and federal highways including utility rights-of-way, rights-of-way dedicated to the public use, and rights-of-way shown on recorded subdivision plats; except such rights-of-way which may be designed as private.
- 3.73 ROADWAY: A public or private road including any land management road.
- 3.74 ROOF SIGN: A sign which is attached flat to, painted on, or

pinned away from the roof of a building.

- 3.75 SCREEN OR SCREENING: A strip of land at least six (6') feet wide, densely planted (or of natural growth) of shrubs or trees, at least four (4') feet high at the time of planting, of a type that will form a year round dense screen at least six (6') feet high within three (3) years; or an opaque fence at least six (6') feet high.
- 3.76 SERVICE DROP: Any utility line extension which does not cross or run beneath any portion of a body of standing water provided that:
- a. in the case of an electric service
 1. the placement of wires above or below ground and/or the installment of utility poles is located entirely upon the premises of the customer requesting service or upon a roadway right-of-way, and,
 2. the total length of the extension is less than 1,000 feet.
 - b. in the case of telephone service
 1. the extension, regardless of length, will be made by the installation of telephone wires to existing utility poles, or
 2. the extension, requiring the installation of new utility poles or placed underground, is less than 1,000 feet in length.
- 3.77 SET-BACK: A line beyond which the foundation wall and/or any covered porch or other portion of a building shall not project.
- 3.78 SIGN: A structure, device or inscription that is arranged intended, designed or used as an advertisement, announcement, or direction, but not including those ~~structures, devices or inscriptions erected and maintained~~ by any public agency in exercising its duties.
- 3.79 SIGN, AREA OF: The entire surface area of a sign within a single continuous perimeter enclosing the extreme limits in writing, representation, emblem, or figure but excluding the supports on which the sign is placed. The area of one side of a double-faced sign shall be regarded as the total area of the sign.
- 3.80 SOLID WASTE: Any matter consisting of putrescible material; refuse; septage; sludge from water supply treatment works, or air pollution control facility; and other discarded or abandoned material. It includes solid, liquid, semisolid or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities. For purposes of this ordinance, it does not include hazardous waste as defined in RSA 147-A:2, solid or dissolved materials in irrigation return flows; or municipal and industrial

discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended; or source, special nuclear or by-product material as defined by the Atomic Energy Act of 1954, as amended, or sludge from a waste treatment plant.

- 3.81 SOLID WASTE MANAGEMENT: The systematic administration of activities for the collection, source separation, processing, treatment, transportation, transfer, storage, recovery and disposal of solid waste.
- 3.82 SPECIAL EXCEPTION USE: A use which may be allowed by the Planning Board in certain locations within certain specified districts. Such a use, when approved by the Planning Board, shall be construed to be conforming under this Ordinance.
- 3.83 STREET: Relates to and includes the right of way of a street, avenue, boulevard, road, lane, alley, viaduct, highway, freeway and other ways.
- 3.84 STREAM CHANNEL: A channel between defined banks created by the action of the surface water and characterized by the lack of terrestrial vegetation or by the presence of a bed, devoid of topsoil, containing waterborne deposits or exposed soil parent material or bedrock as identified on the Zoning Maps.
- 3.85 STRUCTURE: Anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on or in the ground, including, but not limited to, buildings, mobile homes, walls, fences, billboards, signs, piers and floats.
- 3.86 SUBDIVISION:
1. Subdivision means the division of the lot, tract, or parcel of land into 2 or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.
 2. The division of a parcel of land held in common and subsequently divided into parts among the several owners shall be deemed a subdivision under this title. (RSA 672:14)
- 3.87 SUBSURFACE SEWAGE DISPOSAL: Any system disposing of wastes or waste waters on or beneath the surface of the earth including but not limited to, holding ponds, surface spray systems, septic tanks, drainage fields, cesspools, wells, holding tanks, surface ditches or any other fixture, mechanism, or apparatus used for such purposes.

- 3.88 TIMBER HARVESTING: The cutting and removal of trees from their growing site, and the attendant operation of mobile or portable chipping mills and of cutting and skidding machinery, including the creation and use of skid trails, skid roads, and winter haul roads, but not the construction or creation of land management roads.
- 3.89 TRAIL: A route or path other than a roadway, and related facilities used primarily for recreational activities, which passes through or occurs in a natural environment and may involve the disturbance of the land's surface in its construction or use. Related facilities may include but not be limited to subsidiary paths, springs, campsites, view points, and unusual or exemplary natural features in the immediate proximity of the trail which are commonly used or enjoyed by the users of the trail.
- 3.90 UNINCORPORATED PLACES: All areas located within the jurisdiction of Coos County, except areas located within organized cities and towns.
- 3.91 UNINCORPORATED TOWN: Misused term, see Unincorporated Place.
- 3.92 UTILITY FACILITIES: Structures normally associated with public utilities, including without limitation: radar, radio, television, or other communication facilities; electric power transmission or distribution lines, towers and related equipment; telephone cables or lines, poles and related equipment; municipal sewage lines; gas, oil, water, slurry or other similar pipe lines or above ground storage tanks.
- 3.93 USE: The principal purpose for which a lot or the principal building thereon is designed, occupied, maintained, or intended to be used.
- 3.94 VARIANCE: A permit which may be granted, in special cases, by the Board of Adjustment in accordance with RSA 674:33.
- 3.95 WALL SIGN: A sign which is attached flat to, painted on or pinned away from the wall of a building and does not project more than 15 inches from such wall.
- 3.96 WATER BAR: An obstruction placed across a roadway which effectively diverts surface water from and off the road.
- 3.97 WATER CROSSING: A roadway crossing of any body of standing or flowing water (including in its frozen state) by means of a bridge, culvert, or other means.
- 3.98 WATER IMPOUNDMENT: Any body of water created, or elevation of which is raised, by man through the construction of a dam.

- 3.99 WETLANDS: Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under certain circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.
- 3.100 WILDLIFE: All vertebrate species including mammals, birds, and fish.
- 3.101 WILDLIFE MANAGEMENT: Activities engaged in for the exclusive purpose of management of wildlife populations by manipulation of their environment for the benefit of one or more species. Such practices may include, but not be limited to, harvesting or removal of vegetation, controlled burning, planting, impounding water, controlled hunting and trapping, relocation of wildlife, predator and disease control, and installation of artificial nesting sites, provided that such activities are specifically controlled and designed for the purpose of managing such species.

COOS COUNTY UNINCORPORATED PLACES ZONING ORDINANCE

Article IV: ESTABLISHMENT OF DISTRICTS

4.01 DISTRICTS: In order to accomplish any or all of the purposes of the Zoning Ordinance, the County has divided the Unincorporated Places into districts of a number, shape and area as are deemed best suited to carry out the purposes of the Ordinance. The Ordinance regulates and restricts the erection, construction, reconstruction, alteration, repair, or use of buildings, structures, or land within each district it creates. All regulations shall be uniform for each class or kind of buildings throughout each district, but the regulations in one district may differ from those in other districts.

4.02 DIVISION INTO DISTRICTS: The Unincorporated Places of Coos County, New Hampshire are hereby divided into the following zoning districts:

- I. PROTECTED DISTRICTS: Areas where development would jeopardize significant natural, recreational, and or historic resources, including but not limited to, flood plains, steep slopes, wildlife habitat and other areas critical to the ecology of these places.
- II. MANAGEMENT DISTRICTS: Areas which are appropriate for forest management or agricultural uses and for which there are no approved plans for additional development at the time of adoption of this ordinance.
- III. DEVELOPMENT DISTRICTS: Areas which have patterns of residential, recreational, commercial or industrial use, or commercial removal of minerals or other natural resources and areas that may be designated by the Board as being appropriate for the future development areas.
- IV. NON-JURISDICTIONAL DISTRICTS: Areas or places owned by either the Federal or State governments and over which the Board exercises no control.

In addition to the above stated districts the Board may designate subdistrict classifications as it may deem necessary in order to carry out the intent of this Ordinance.

4.03 PROTECTED DISTRICTS (PD): The purpose of a PD is to protect certain critical areas from inappropriate land use activities which may degrade their environmental quality. The following are the protected subdistricts:

1. Aquifers PD1
2. Flood prone areas PD2
3. Critical Wildlife Habitat PD3
4. Fish spawning areas PD4

5. Shorelines of rivers, streams, ponds and lakes PD5
6. Steep slopes PD6
7. Wetlands PD7
8. Unusual Area PD8

4.03A AQUIFERS (PD1)

1. Purpose

The purpose of the Aquifer Protected District is to protect the quantity and quality of ground water supply used or potentially available for human or industrial consumption.

2. Description

Areas having soil rated as highly permeable and/or surficial geologic units that are highly permeable and are hydrologically connected through highly fractured bedrock units to a ground water supply which is currently, or anticipated to be, used for public, industrial or agricultural purposes, or areas identified as aquifer recharge areas based on studies by appropriate qualified persons or agencies.

3. Land Use Standards

(a) **USES ALLOWED WITHOUT A PERMIT:** The following uses shall be allowed without a permit from the Board within a PD1:

1. Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, tenting and camping at remote camp sites, canoe portaging, cross country skiing, and snowshoeing;
2. Motorized vehicular traffic on roads;
3. Wildlife and fishery management practices;
4. Surveying and other resource analysis;
5. Signs;
6. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
7. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies;
8. Snowmobiling;
9. Forest Management Activities.

(b) **USES REQUIRING A PERMIT:** The following uses may be allowed within a PD1 upon issuance of a permit from the Board:

COOS COUNTY UNINCORPORATED PLACES ZONING ORDINANCE

1. Agricultural management activities;
2. Land management roads except for water crossing permitted pursuant to RSA 485-A:17 (Terrain Alterations);
3. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD1.

4.03B FLOOD PRONE AREAS (PD2)

1. Purpose

The purpose of the PD2 is to regulate certain land use activities in flood prone areas in order to minimize the human and financial costs of floods and flood cleanup programs, by protecting adjacent, upstream and downstream property from flood damage, by minimizing danger from malfunctioning water supply and waste disposal systems in flood prone areas.

2. Description

Areas located within the 100 year frequency flood plain as identified by the Board after consideration of relevant data including, without limitation, identification of areas as flood prone by state and federal agencies, historical data, and the National Cooperative Soil Survey.

3. ~~Land Use Standards~~

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within a PD2:

1. Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
2. Motorized vehicular traffic on roads;
3. Wildlife and fishery management practices;
4. Surveying and other resource analysis;
5. Signs;
6. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
7. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation

- of water bodies;
- 8. Snowmobiling;
- 9. Agricultural management activities;
- 10. Forest management activities.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within a PD2 upon issuance of a permit from the Board:

- 1. Land management roads, except for water crossings permitted pursuant to RSA 485-A:17 (Terrain Alteration);
- 2. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect which are built to federal flood plain building code standards.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD2.

4.03C CRITICAL WILDLIFE HABITAT (PD3)

1. Purpose

The purpose of the PD3 is to provide critical habitat for boreal wildlife by establishing a protected zone of critical wetland wildlife habitat areas and streamside coniferous travel corridors surrounding or linking protected critical wetland wildlife habitat areas. These areas would both provide travel corridors for large mobile species and would also provide the life requisites of many species preferring spruce/fir, thereby providing a corridor for the dispersal of juveniles for maintaining viable populations. Northern hardwood stands in excess of 20 acres will be excluded from the harvest regulations of the PD3b and PD3c zones.

2. Description and Conditions

Habitat for deer, moose, lynx, marten, osprey, eagle, spruce grouse, black backed woodpecker, three-toed woodpecker, black bear, fisher and 122 additional vertebrate wildlife species will be provided by the district. The PD3 will be defined as the area recommended by NH Fish and Game and designated by the Board as critical wetland wildlife habitat areas and the four hundred foot strip adjacent to such areas, said strip to be divided further into two zones. PD3a will be the critical wetland wildlife habitat; PD3b will be the 200 foot strip from the edge of the PD3a; and the PD3c will be the strip 201 feet to 400 feet from the edge of the PD3a.

3. Land Use Standards

PD3a:

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within a PD3a:

1. Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, trapping, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
2. Motorized vehicular traffic on existing roads;
3. Wildlife and fishery management practices as prescribed by New Hampshire Fish and Game;
4. Surveying and other resource analysis;
5. Signs;
6. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
7. Foot trails, provided they are maintained so as to reasonably avoid sedimentation of water bodies;
8. Maintenance of existing all season roads.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within a PD3a upon issuance of a permit from the Board:

1. Permanent and/or temporary land management roads except for water crossings permitted pursuant to RSA 485-A:17;
2. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD3a.

PD3b:

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within a PD3b:

1. Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, trapping, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
2. Motorized vehicular traffic on existing roads;
3. Wildlife and fishery management practices as prescribed by New Hampshire Fish and Game;
4. Surveying and other resource analysis;
5. Signs;
6. Emergency operations conducted for the public

health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;

7. Foot trails, provided they are maintained so as to reasonably avoid sedimentation of water bodies;
8. In consultation with NH Fish & Game, forest management activities involving less than 33% removal of stand basal area by single tree or group selection methods with openings up to one (1) acre in size in any 20 year time interval for any 700 foot length of the PD3b zone;
9. Maintenance of existing all season roads.

(b) **USES REQUIRING A PERMIT:** The following uses may be allowed within a PD3b upon issuance of a permit from the Board:

1. Forest management activities involving more than 33% removal of stand basal area in any 20 year time interval for any 700 foot length of the PD3b zone, the application of other than single tree or group selection methods, and openings greater than one (1) acre in size.
2. Permanent and/or temporary land management roads except for water crossings permitted pursuant to RSA 485-A:17;
3. Non-commercial mineral extraction covering an area of less than one (1) acre per extraction site;
4. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.

(c) **PROHIBITED USES:** All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD3b.

PD3c:

(a) **USES ALLOWED WITHOUT A PERMIT:** The following uses shall be allowed without a permit from the Board within a PD3c:

1. Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, trapping, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
2. Motorized vehicular traffic on existing roads;
3. Wildlife and fishery management practices as prescribed by New Hampshire Fish and Game;
4. Surveying and other resource analysis;
5. Signs;
6. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search

- and rescue operations;
7. Foot trails, provided they are maintained so as to reasonably avoid sedimentation of water bodies;
 8. In consultation with NH Fish & Game, forest management activities involving less than 50% removal of stand basal area with openings up to three (3) acres in size in any 10 year time interval for any 700 foot length of the PD3c zone;
 9. Maintenance of existing all season roads.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within a PD3c upon issuance of a permit from the Board:

1. Forest management activities involving more than 50% removal of stand basal area in any 10 year time interval for any 700 foot length of the PD3c zone, and openings greater than three (3) acres in size.
2. Permanent and/or temporary land management roads except for water crossings permitted pursuant to RSA 485-A:17;
3. Non-commercial mineral extraction covering an area of less than one (1) acre per extraction site;
4. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD3c.

4.03D FISH SPAWNING AREAS (PD4)

1. Purpose

The purpose of this PD4 is to conserve important fish spawning habitats essential to the citizens of the County and the State.

2. Description

A fish spawning protected area must be identified by the NH Fish and Game Department as a significant fish spawning nursery and critical habitat.

3. Land Use Standards

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within a PD4:

1. Primitive recreational uses, including fishing,

- hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
- 2. Motorized vehicular traffic on roads;
- 3. Wildlife and fishery management practices;
- 4. Surveying and other resource analysis;
- 5. Signs;
- 6. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
- 7. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies;
- 8. Snowmobiling.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within a PD4 upon issuance of a permit from the Board:

- 1. Agricultural management activities;
- 2. Forest Management activities;
- 3. Land management roads except for water crossing permitted pursuant to RSA 485-A:17 (Terrain Alteration);
- 4. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD4.

4.03E SHORELINES OF RIVERS, STREAMS, PONDS, AND LAKES (PD5)

1. Purpose

The purpose of the PD5 is not to wholly preclude residential and recreational development on the County's rivers, streams, ponds and lakes but to regulate these areas so that development will not degrade the environmental quality of these areas.

2. Description

Areas within 200 feet of the normal high water mark along those water bodies delineated as PD5 areas on the Zoning Maps.

3. Land Use Standards

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within

COOS COUNTY UNINCORPORATED PLACES ZONING ORDINANCE

a PD5:

1. Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
2. Motorized vehicular traffic on roads;
3. Wildlife and fishery management practices;
4. Surveying and other resource analysis;
5. Signs;
6. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
7. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies;
8. Snowmobiling;
9. Land management roads except water crossings permitted pursuant to RSA 485-A:17 (Terrain Alterations);
10. Agricultural management activities;
11. Forest Management activities.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within a PD5 upon issuance of a permit from the Board:

1. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD5.

4.03F STEEP SLOPES & HIGH ELEVATIONS (PD6)

1. The purpose of a PD6 is to regulate certain land use activities in mountain areas in order to preserve the natural equilibrium of vegetation, geology, slope, soil and climate in order to reduce danger to public health and safety posed by unstable mountain areas, to protect water quality, and to preserve mountain areas for their scenic values and recreational opportunities.
2. Description
 - a. Areas above 2,700 feet in elevation; or
 - b. Slopes in excess of 60 percent (27-degree angle) over ten (10) contiguous acres.

3. Land Use Standards

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within a PD6:

1. Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
2. Motorized vehicular traffic on roads;
3. Wildlife and fishery management practices;
4. Surveying and other resource analysis;
5. Signs;
6. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
7. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation water bodies;
8. Snowmobiling.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within a PD6 upon issuance of a permit from the Board:

1. Agricultural management activities;
2. Forest Management activities;
3. Land management roads except for water crossing permitted pursuant to RSA 485-A:17 (Terrain Alterations);
4. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD6.

4.03G WETLANDS (PD7)

1. Purpose

The purpose of the PD7 is to conserve wetlands in essentially their natural state because of the indispensable biologic, hydrologic and environmental functions which they perform.

COOS COUNTY UNINCORPORATED PLACES ZONING ORDINANCE

2. Description

- a. Areas enclosed by the normal high water mark of flowing waters, stream channels and standing waters as designated on the zoning maps.
- b. Areas encompassing 10 acres or more in size identified by the Board as inland wetlands. The Board may be guided in such identification by the Wetlands Inventory compiled by the State of NH Wetlands Board.

3. Land Use Standards

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within a PD7:

1. Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
2. Motorized vehicular traffic on roads;
3. Wildlife and fishery management practices;
4. Surveying and other resource analysis;
5. Signs;
6. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
7. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies;
8. Snowmobiling;
9. Agricultural management activities;
10. Forest management activities.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within a PD7 upon issuance of a permit from the Board:

1. Land management roads except for water crossing permitted pursuant to RSA 485-A:17 (Terrain Alterations)
2. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD7.

4.03H UNUSUAL AREA (PD8)

1. Purpose

To protect areas of significant natural, recreational, historic, scientific or aesthetic value which are susceptible to significant degradation by man's activities and for which protection cannot adequately be accomplished by inclusion in any of the other subdistricts.

2. Description

Areas identified by the Board as important in preserving the historic, scenic, scientific, recreational, aesthetic or water resources of the unincorporated places and which have special land management requirements which cannot adequately be accomplished within another subdistrict. Subdistricts may include, but are not limited to, historic or archaeological sites or structures, scientific phenomena, natural areas, or important water supply sources.

3. Land Use Standards

(a) **USES ALLOWED WITHOUT A PERMIT:** The following uses shall be allowed without a permit from the Board within a PD8:

1. Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
2. Motorized vehicular traffic on roads;
3. Wildlife and fishery management practices;
4. Surveying and other resource analysis;
5. Signs;
6. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
7. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies;
8. Snowmobiling.

(b) **USES REQUIRING A PERMIT:** The following uses may be allowed within a PD8 upon issuance of a permit from the Board:

1. Agricultural management activities;
2. Forest Management activities;
3. Land management roads except for water crossing

COOS COUNTY UNINCORPORATED PLACES ZONING ORDINANCE

- permitted pursuant to RSA 485-A:17 (Terrain Alterations):
4. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a PD8.

4.04 MANAGEMENT DISTRICTS (MD): The purpose of an MD is to permit forestry and agricultural management activities to occur with minimal interference from unrelated development in areas where the Board finds that the resource protection afforded by Protection Districts is not required.

(a) USES ALLOWED WITHOUT A PERMIT: The following uses shall be allowed without a permit from the Board within an MD:

1. Agricultural management activities;
2. Forest management activities;
3. Land Management roads;
4. The operation of machinery and the erection of buildings and other structures used primarily for agricultural, forest management or primitive recreational activities;
5. Service drops;
6. Surveying, mineral exploration and other resource analysis;
7. Mineral extraction operations, less than 5 acres in size, for road purposes;
8. Primitive recreational uses including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing;
9. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies;
10. Campsites;
11. Motorized vehicular traffic on roads, and snowmobiling;
12. Road projects;
13. Wildlife and fishery management practices;
14. Signs;
15. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations.

COOS COUNTY UNINCORPORATED PLACES ZONING ORDINANCE

- (b) **USES REQUIRING A PERMIT:** The following uses may be allowed within an MD upon the issuance of a permit from the Board:
1. Commercial mineral extraction operations or those affecting an area 5 acres or greater in size;
 2. Campgrounds;
 3. Single dwelling units;
 4. Utility facilities, excluding service drops;
 5. Solid waste disposal;
 6. Sewage sludge disposal;
 7. Remote camps;
 8. Non-commercial structures utilized for educational, scientific, or nature observation purposes;
 9. Commercial sporting camps having a total gross floor area of no more than 8,000 square feet for all principal buildings concerned;
 10. Other structures, uses or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources or uses which they protect.
- (c) **PROHIBITED USES:** All uses not expressly allowed, with or without a permit or by special exception, shall be prohibited in a MD.

4.05 **DEVELOPMENT DISTRICTS (DD):** For purposes of this Ordinance, Development Districts are further broken down into the following subdistricts:

- (a) General Development Subdistricts (DD-G)
- (b) Planned Development Subdistricts (DD-P)
- (c) Residential Development Subdistricts (DD-R)

4.06 **GENERAL DEVELOPMENT SUBDISTRICT (DD-G):** The purpose of the DD-G is to recognize existing patterns of development in appropriate areas and to encourage further patterns of compatible development therein and adjacent thereto. It is the Board's intent to promote these areas as future growth centers in order to encourage the location of compatible developments near each other and to minimize the impact of such development upon incompatible uses and upon public services and facilities. Thus the Board's purpose is to encourage the general concentration of new development, and thereby avoid the fiscal and visual costs of sprawl, and to provide a continuing sense of community in settled areas.

- (a) **USES ALLOWED WITHOUT A PERMIT:** The following uses shall be allowed without a permit from the Board within a DD-G:
1. Primitive recreational uses, including fishing,

COOS COUNTY UNINCORPORATED PLACES ZONING ORDINANCE

hiking, wildlife study and photography, wild crop harvesting, tenting and camping at remote camping sites, canoe portaging, cross country skiing, and snowshoeing, but not including hunting or trapping;

2. Motorized vehicular traffic on roads, and snowmobiling;
3. Wildlife and fishery management practices;
4. Surveying, mineral exploration and other resource analysis;
5. Signs (See Section VIII);
6. Land management roads;
7. Trails, provided they are constructed and maintained so as to reasonably avoid sedimentation of water bodies;
8. Service drops;
9. Emergency operations conducted for the public health, safety or general welfare, such as resource protection, law enforcement, and search and rescue operations;
10. Agricultural management activities;
11. Forest management activities.

(b) USES REQUIRING A PERMIT: The following uses may be allowed within a DD-G upon issuance of a permit from the Board:

1. Mineral extraction operations of less than five (5) acres in size for on-site improvement;
2. Road projects;
3. Residential: Single family detached dwelling units; multi-family dwellings; condominiums; and residential subdivisions;
4. Public and Institutional: Places of worship and ~~other religious institutions~~; public, private and parochial schools; public and other institutional buildings such as, but not limited to libraries, fire stations, post offices, day nurseries, and cemeteries;
5. Commercial and Industrial: Facilities having less than 1000 sq. ft. of gross floor area including facilities offering food and beverages prepared on the premises, retail stores and services, and laundromats but excluding auto service stations or repair garages and uses which may create a nuisance or unsafe or unhealthy conditions or are otherwise incompatible with residential uses; and subdivisions for uses permitted by this Subdistrict;
6. Utility facilities compatible with residential uses, other than service drops;
7. Public or private recreation facilities including, but not limited to, campgrounds, parks, playgrounds, golf courses, commercial sporting camps, hotels, motel, and campsites;

8. Other structures, uses, or services which the Board determines are consistent with the purposes of this Subdistrict and of the Master Plan and are not detrimental to the resources and uses they protect.

(c) PROHIBITED USES: All uses not expressly allowed, with or without a permit or by special exception shall be prohibited in a DD-G.

4.07 PLANNED DEVELOPMENT SUBDISTRICT (DD-P): In accordance with RSA 674:21, the purpose of the DD-P is to allow for large scale, well planned developments. The Board's intent is to consider development proposals that may be separated from existing developed areas, provided that they can be shown to be of high quality and not detrimental to other values established in the Master Plan, and provided they depend on a particular natural feature or location which is available at the proposed site. A zone change will be recommended to the Board of County Commissioners when the Planning Board is persuaded by a preponderance of all the evidence that the location of the site is the best reasonably available for the proposed use and that the goals and policies of the Master Plan are served. Where a DD-P zone change is granted, it shall not provide the basis for subsequent redistricting of the area to another Development District or Subdistrict, nor shall it serve to satisfy those requirements for redistricting surrounding areas to other Development Districts. Satisfying the needs to become a DD-P does not eliminate further site plan review.

The DD-P Subdistricting process is designed to encourage creative and imaginative design and site planning, to promote efficient use of land, and to afford the applicant reasonable guidance in formulating an acceptable development proposal. The implementation of a DD-P is regulated through the site plan review process.

(a) DESCRIPTION: Areas proposed for residential, recreational, commercial and industrial use or some combination of those uses, for which a comprehensive development plan (which treats the entire parcel as an entity) has been submitted to, reviewed and approved by the Board.

1. A DD-P proposed for predominantly residential and/or recreational land uses shall contain a minimum of 30,000 sq. ft. of all building floor area and shall include at least 150 contiguous acres. (A predominance of uses shall exist when the majority of the gross building floor area is devoted to such uses).
2. A DD-P proposed for predominantly commercial and/or industrial land uses shall contain a minimum of

COOS COUNTY UNINCORPORATED PLACES ZONING ORDINANCE

30,000 sq. ft. of gross building floor area and shall include at least 50 contiguous acres.

In either of the above cases, no development, other than access roads and utility lines shall be less than 400 feet from any property line. (This dimension may be increased or decreased at the Planning Board's discretion). Furthermore, the project shall be reasonably self-contained and self-sufficient and to the extent practicable provide for its own water and sewage services, road maintenance, fire protection, solid waste disposal and police security.

- (b) PERMITTED USES: All uses approved in the Final Development Plan shall be permitted. No other use shall be permitted except where the Board determines that such additional use is consistent with such Plan and with the purposes thereof.
- (c) OWNERSHIP: An application for the creation of a DD-P may be filed only by the owner or lessee (with written owner approval) of all lands to which the application pertains.
- (d) BURDEN OF PROOF: The burden of proof is upon the applicant to show by substantial evidence that his proposal satisfies the criteria established for the creation of a DD-P and is consistent with the goals and policies of the Master Plan.
- (e) PROCEDURE: The planned development review procedure shall consist of two stages:
 - 1. Preapplication Conference; and
 - ~~2. Submission of a Concept Plan.~~
- (f) PREAPPLICATION CONFERENCE: A preapplication conference shall be held with the Board and may include representatives from other relevant agencies and governmental units. At this conference the procedures, regulations, and policies that will govern the DD-P application will be discussed. The conference shall provide a forum for an informal discussion on the acceptability of all aspects of the project proposal, prior to its filing with the Board. The conference proceedings shall be summarized in writing and made available to the applicant.
- (g) CONCEPT PLAN:
 - 1. Application: The Concept Plan shall include: evidence that the proposal conforms with the Board's Master Plan and the purpose and description of a Planned Development Subdistrict as contained herein; evidence showing that the

COOS COUNTY UNINCORPORATED PLACES ZONING ORDINANCE

permit criteria will be satisfied; and the submission of various written and illustrative documents, as described hereinafter. Prior to any decision relative to such application, the Board shall make known its findings and recommendations, in writing, and a public hearing shall be held in accordance with the Board's constitution and by-laws. Outside independent review by experts may be required by the Board at any time it is considered necessary.

The following items are required to be submitted with any Concept Plan application:

WRITTEN STATEMENTS

- A. A description of the property boundaries proposed for the DD-P, including a statement of present and proposed ownership.
- B. A statement of the objectives to be achieved by locating the development in its proposed location. The statement should describe why the site is considered the best reasonably available for the proposed use(s). The fact that the applicant owns or leases the property shall not, of itself, be sufficient evidence to satisfy this last requirement.
- C. A preliminary development schedule and construction program that indicates when the project and stages thereof will begin and be completed. The schedule is to specify what percentage of the total project is represented by each stage and what buildings, floor areas (if appropriate), and land areas are included in such stage.
- D. A statement of the applicant's intentions with regard to future selling, leasing or subdividing of all or portions of the project. The statement should describe the type of covenants, restrictions or conditions that are proposed to be imposed upon buyers, lessees, or tenants of the property.
- E. General statements to satisfy the Board that the project is realistic, and can be financed and completed. Such statements shall demonstrate that the applicant has the financial resources and support to achieve the proposed development and that a sufficient market exists for the goods and/or services the development will provide.
- F. A preliminary statement of the environmental impact of the proposed development which sets forth the reasonably foreseeable adverse effects and measures to be taken by the

applicant to minimize such effects. An Environmental Impact Statement (EIS) may be required after analysis of the Preliminary Impact Statement.

- G. A general statement that indicates how the natural resources of the area will be managed and protected so as to reasonably assure that if those resources are currently designated within Protection Districts they will receive protection that is substantially equivalent to that under the original subdistrict designation.

MAPS

- H. A location map (drawn on a USGS topographic map base or zoning map) that indicates the area for which a DD-P designation is sought. This map should show all existing districts and subdistricts.
- I. A map showing existing site conditions, water courses, unique natural conditions, forest cover, swamps, lakes, ponds, wetlands, existing buildings, road boundaries, existing recreational features such as snowmobile trails, property lines and names of adjoining property owners, scenic locations, and other prominent topographical or environmental features.
- J. A soils map of at least medium intensity that covers those portions of the site where any development is proposed. The description should use the soil group designations utilized in the USDA Soil Series.
- K. A preliminary site plan that shows the approximate location of all existing and proposed buildings, structures and other improvements, including roads, bridges, beaches, dumps, wells, sewage disposal facilities, storm drainage, cut and fill operations, and general green areas. This plan should show the approximate proposed lot lines, the location of open spaces, parks, recreational areas, parking areas, service and loading areas, and notations of what is to be in common or private ownership.
- L. A map or description of the approximate size, type, and location of proposed utility systems including waste disposal, water supply, and electric and telephone lines. Where a public water supply, and/or a central sewage collection and/or treatment system is proposed, evidence shall be required to show that these facilities will meet applicable governmental requirements and that the soils

are suitable for such sewage disposal system.

Where the DD-P involves a staged development and the applicant cannot reasonably make available maps required pursuant to paragraph K of this section, covering all future stages of development, he shall submit such maps covering only the initial development stage, together with sketch plans covering all other development stages. Such plans shall describe all proposed land uses, densities, circulation patterns and building locations and are to be in sufficient detail to permit the Board to determine if the site can support the entire development program, especially in terms of soil suitability, traffic circulation, and water supply and sewage waste disposal.

2. Hearings and Criteria for the Approval of the Concept Plan: The Board shall schedule a public hearing within 60 (sixty) days after the Planning Board or its designated staff deem a complete Concept Plan application has been filed, unless the applicant requests, in writing that this time be extended.

The public hearing notification in accordance with RSA 676:4 shall notify the public and abutters and the proceedings shall meet the requirements of appropriate statutes and Board rules. Within 90 days after the close of the record of the public hearing, the Board may approve, approve with conditions, or deny the application for the zone change in writing. In making this decision, the Board shall ensure that the proposal:

- A. Conforms with the objectives and policies of the Master Plan;
- B. Incorporates, where the land proposed for inclusion in the DD-P is in a Protection Subdistrict, a substantially equivalent level of environmental and resource protection as was afforded under such Protection Subdistrict;
- C. Utilizes the best reasonably available site for the proposed use;
- D. Incorporates high quality site planning and design in accordance with accepted contemporary planning principals;
- E. Envisions a project that is reasonably self-sufficient in terms of necessary public services;
- F. Provides for safe and efficient traffic circulation; and
- G. Utilizes the best practical technology to

reduce pollution, waste and energy consumption.

3. Approval or Denial of Concept Plan:

- A. If, after weighing all the evidence, the Board approves the Concept Plan application, the Planning Board shall recommend to the Board of County Commissions that the zoning map for the district be changed and upon the approval of the Board of Commissioners will be taken to the County Delegation for official adoption. Then the DD-P shall be designated on the zoning map for the district. Simultaneously with such approval, a Concept Plan Permit will be issued. The Concept Plan Permit may contain such reasonable conditions as the Board deems appropriate and will specify the conditions for approval of the Final Development Plan. The terms of the Concept Plan Permit will be in writing and shall be deemed to be incorporated in the DD-P.
- B. If, after weighing all the evidence, the Board finds the submission does not meet the criteria established above for its approval, the application shall be denied and the reasons for the denial shall be stated in writing.
- C. Within a maximum of 18 months following a Board's decision to designate an area as a DD-P, the applicant shall file a Final Development Plan containing in detailed form the information required in the Board's site plan review regulations. At its discretion, and for good cause shown, the Board may extend the deadline for filing of the Final Development Plan. The time period of the extension will be determined by the Board.
- D. If the applicant fails for any reason to apply for final approval by submitting a Final Development Plan within the prescribed time, the DD-P designation shall be deemed revoked and the original district or subdistrict(s) shall again apply.
- E. Application fee: The application fee established by the Board will be submitted with the Concept Plan. Credit for this fee will be allowed against the fee required at the Final Development Plan stage.
- F. A Concept Plan submitted to the Board is not transferable from one owner to another.

4.08 RESIDENTIAL DEVELOPMENT SUBDISTRICT (DD-R): The purpose of the DD-R is to set aside certain broad areas for residential use so as to provide for residential activities apart from broad areas of commercial development. The intention is to encourage the concentration of residential type development in and adjacent to existing residentially developed areas; however, not all areas of land within the DD-R are necessarily acceptable for residential use.

(a) Uses Allowed Without A Permit: The following uses shall be allowed without a permit from the Board within a DD-R:

1. Residential units within an approved subdivision;
2. Primitive recreational uses, including fishing, hiking, wildlife study and photography, wild crop harvesting, horseback riding, tenting and camping at remote camping sites, canoe portaging, cross country skiing and snowshoeing, excluding hunting and trapping;
3. Motorized vehicular traffic on roads and trails, and snowmobiling;
4. Trails, provided they are constructed and maintained as to reasonably avoid sedimentation of water bodies;
5. Wildlife and fishery management practices;
6. Road projects;
7. Mineral exploration activities;
8. Surveying and other resource analysis;
9. Signs;
10. Service drops;
11. Agricultural management activities;
12. Forest management activities;

(b) Uses Requiring a Permit: The following uses may be allowed with a DD-R upon issuance of a permit from the Board:

1. Residential: Dwelling units and subdivisions;
2. Public and Institutional: Places of worship, public, private and parochial schools; day nurseries, cemeteries, and public parks and recreation areas; police and fire protection facilities; utility facilities compatible with residential uses other than service drops;
3. Campsites;
4. Mineral extraction activities;
5. Other structures, uses or services which the Board determines are consistent with the purposes of this subdistrict and of the Master Plan and are not detrimental to the resources and uses they protect.

(c) Prohibited Uses: All uses not expressly allowed, with or without a permit, shall be prohibited in an DD-R.

COOS COUNTY UNINCORPORATED PLACES ZONING ORDINANCE

- 4.09 NON-JURISDICTIONAL DISTRICTS (NJD): The purpose of a NJD is to indicate those lands owned by either the federal or state governments and over which the Board has no land use control.
- 4.10 ZONING MAPS: Each Unincorporated Place has a zoning map on which the various districts and subdistricts are delineated and such maps are a part of this Ordinance. *
- 4.11 INTERPRETATION OF DISTRICT BOUNDARIES: Where any uncertainty exists with respect to the boundary of any district shown on the Zoning Map, the following rules shall apply:
- (a) Where a boundary is indicated as a highway, street, railroad, watercourse, or municipal boundary, it shall be construed to be the center line thereof or such Town Boundary.
 - (b) Where a boundary is indicated as approximately parallel to a highway, street, railroad, watercourse or Town Boundary, it shall be construed as parallel thereto and such distance from the center line thereof as shown on the Zoning Map.
 - (c) If no dimension is given on the Zoning Map, the location of any boundary shall be determined by use of the scale shown on the Zoning Map.
 - (d) Where a boundary coincides within ten (10) feet or less with a lot line, the boundary shall be construed to be the lot line.
 - (e) The Board of Adjustment shall resolve all boundary questions not covered by (a) through (d) above.
- 4.12 INTERPRETATION OF THE ORDINANCE: The following shall apply to all uses in all Districts and Subdistricts except as otherwise provided:
- (a) The description of permitted uses herein does not authorize any person to trespass, infringe upon or injure the property of another, and does not relieve any person of the necessity of complying with other applicable Federal, State or local laws and regulations.
 - (b) Accessory uses and structures, which are permitted in a district or subdistrict, shall be required substantially to conform to the requirements for the principal use or structure to which they relate.
 - (c) Where new development is proposed near existing towns, the Board may choose to work with abutting communities

COOS COUNTY UNINCORPORATED PLACES ZONING ORDINANCE

to assure that development is compatible with their Master Plans.

- (d) Where two or more protection subdistricts apply to a single land area, the combination of the more protective standards for each subdistrict shall apply.

Article V: GENERAL LAND USE STANDARDS

This Section contains land use standards for the following land use activities:

- 5.01 Mineral Extraction
- 5.02 Timber Harvesting
- 5.03 Pesticide Application
- 5.04 Sewage Disposal
- 5.05 Water Impoundments
- 5.06 Wetlands

The documents referenced in this section and laws of the State of New Hampshire are usually available at law libraries throughout the state, law offices within the state or from law book publishers such as Equity Publishing Corporation, Orford, NH 03777.

- 5.01 MINERAL EXTRACTION: The Board supports and adopts the provisions of state statute chapter 155-E as it applies to mining and reclamation of minerals.
- 5.02 TIMBER HARVESTING: The Board supports and adopts the provisions of state statute chapter 224 and other appropriate state laws and regulations as they apply to timber harvesting.
- 5.03 PESTICIDE APPLICATION: The Board supports and adopts the provisions of state statute chapter 430:28 et seq as it applies to pesticide application.
- 5.04 SEWAGE DISPOSAL: The Board supports and adopts the provisions of state statute chapter 485-A:29 et seq as it applies to sewage disposal systems.
- 5.05 WATER IMPOUNDMENTS: The Board supports and adopts the provisions of state statute chapter 482 and other appropriate state laws and regulations as they apply to water impoundments.
- 5.06 WETLANDS: The Board supports and adopts the provisions of state statute chapter 482-A and other appropriate state laws and regulations as they apply to wetlands.

Article VI: STANDARDS FOR EARTH AND CONSTRUCTION AGGREGATE EXCAVATION

While the Board supports State Statute 155-E as it applies to mining and mineral extraction, the following regulations and plan requirements shall apply to commercial earth and construction aggregate excavation where removal is more than 150 cubic yards per month and will require a permit from the Board.

6.01 PLAN REQUIREMENTS:

- a. Location map of property on which commercial extraction activity will occur.
- b. Delineation of the areas to be excavated, topography, existing vegetation, and waterways.
- c. Description and volume of resources to be excavated on a year to year basis not to exceed ten (10) years.
- d. Map and description of necessary roads, accessways, buildings, machinery and structures proposed.
- e. Depth to seasonal high and average water tables.
- f. Provisions for safety, traffic flow and visual screening.
- g. Provisions for removal or storage of debris.
- h. Provisions for continuous slope stability.
- i. Provisions for sediment and erosion control.
- j. A plan for the final site reclamation which shall show detailed information on topography, revegetation, drainage, stability and soil characteristics.

The Plan shall be developed in consultation with the Board and any certified engineer or surveyor. Informal and non-binding meetings may be held for the purpose of developing a responsible plan.

6.02 LAND USE STANDARDS:

- a. A buffer zone of two hundred (200) feet shall be maintained between any permitted activity, public rights-of-way and adjacent properties.
- b. A buffer zone of one hundred fifty (150) feet shall be maintained between any body of water.
- c. No slopes steeper than one vertical to two horizontal shall be allowed to exist for more than five (5) consecutive days except those allowed under RSA 155-E relative to exposed rock ledge.
- d. No activity shall be allowed lower than two (2) feet above the seasonal high water table.
- e. No activity such as rock crushing, rock drilling or dynamite will be allowed to infringe on any adjacent activity or population's quality of view, noise, or air within one thousand (1000) feet of the property line.
- f. Reapplication, if applicable, will occur on the tenth anniversary of the original permit.

6.03 DECISION PROCESS:

The Board shall make a decision based upon the following considerations:

- a. Public safety;
- b. Noise and air pollution;
- c. Traffic related problems;
- d. Water quality;
- e. Water supply;
- f. Slope stability;
- g. Impact on adjoining land use; and
- h. Visual impact.

6.04 APPLICABILITY:

These regulations apply to excavation, grading, filling or removal of any earth resources or construction aggregate. Such activity occurring on a lot for which a building permit has been issued is exempt when it involves a volume of less than 1000 yards or when the volume of material is used only on that property.

Article VII: DIMENSIONAL REQUIREMENTS

The following dimensional requirements shall apply to all lots on which the building development is proposed unless otherwise provided by other subsections.

7.01 MINIMUM LOT SIZE:

In the absence of the municipal sewerage facilities, minimum lot sizes within all subdivisions shall, in addition to meeting the requirements of the zoning ordinance for the district wherein the subdivision is proposed, also meet the lot size requirements specified in Table 1 "Minimum Lot Size by Soil Type".

This requirement is subject to the following qualifications:

- (a) Where more than one soil type is found on a lot, a weighted average of those soils occurring on the lot shall be used to determine the minimum lot size. HISS data may be required by the Planning Board.

In the case of the Cluster Subdivisions, the overall density of lots for development within the parcel shall be determined by using Table 1 and computing a weighted average of all soils (excluding wetlands) found in the parcel proposed for subdivision. One additional lot shall be permitted for each four (4) acres of poorly drained soil. Each lot will not exceed four (4) bedrooms.

- (b) Wetlands may be used as a part of the computed lot size according to the following:

1. Areas designated as poorly drained soil may be utilized to fulfill 25% of the minimum lot size required by this ordinance and the subdivision regulations, provided that the non-wetland area is sufficient in size and configuration to adequately accommodate all required utilities such as sewage disposal and water supply, including primary and auxiliary leach field locations.
2. Areas designated as very poorly drained fresh water marsh or alluvial soils may not be utilized to fulfill maximum lot size.
3. No subsurface waste water disposal system shall be constructed within 50 feet of Hydric B Soils and 75 feet of Hydric A Soils.

- (c) In subdivisions where a community/municipal water supply and/or community wastewater system is to be provided, minimum lot sizes may be reduced by 33 1/2%

of the minimum requirements as stated in Table 1.

- (d) Minimum lot sizes for residential developments with greater than four (4) bedrooms per unit and for commercial and industrial developments shall be determined as follows:

1. For residential use with five (5) or more bedrooms per unit, the minimum lot size shall be proportionately larger than the lot size indicated in Table 1 as determined by the formula:

$$\text{Lot Size (Sq.Ft.)} = \frac{\text{No. of Bedrooms} \times (\text{Lot size from Table 1})}{4}$$

2. For duplex use, this lot size shall be increased by 50% of the minimum lot size as determined by Table 1.
3. For commercial or industrial uses, lot size will be determined by the formula:

$$\text{Lot Size (Sq.Ft.)} = \frac{\text{Gal. of Wastewater/Day} \times \text{Lot Size from Table 1} + \text{Land Required for well radius}}{1837 \text{ (gpd/40,000 ft.)}}$$

Gallons of wastewater discharged per day shall be determined from the "Unit Design for Flow Figures" table of the New Hampshire Water Supply and Pollution Control Commission publication, Guide for the Design, Operation and Maintenance of Small Sewage Disposal Systems, January, 1978, as amended.

4. Final site plan approval for industrial development which is of such nature or character as to require state or federal permits for pre-treatment and discharge or subsurface disposal shall not be granted until such permits are secured. The conditions upon which such permits are issued shall comply with state and local regulations and be made part of the record before the Planning Board.

- (e) Determination of soil type:

1. Tests for determining soil information for use in this section shall be performed by a qualified soil scientist using existing soil data with on-site inspections as necessary.
2. Soil data using the standards of the National Cooperative Soil Survey shall be provided as a part of the subdivision plan at the scale and

dimensions required. Any cover letters or explanatory data provided by the qualified soil scientist shall also be submitted.

3. Such tests shall be performed with the advice and under the direction of the Planning Board or its designated agent.
4. All costs of performing such investigations shall be borne by the subdivider.

7.02 MINIMUM SHORELINE FRONTAGE:

- (a) For lots fronting on flowing water draining more than 2 square miles, or a body of standing water, the minimum shoreline frontage shall be:
 1. Two hundred (200) feet per dwelling per unit for residential uses, and
 2. Two hundred (200) feet for commercial, industrial, and other non-residential uses involving one or more buildings;
- (b) The shoreline shall be the normal high water mark of an inland wetland as defined in Section 3.99 of this Ordinance.
- (c) Frontage shall be measured in a straight line between the points of intersection of side lot lines with the normal high water mark of the shoreline.

7.03 MINIMUM ROAD FRONTAGE:

- (a) The minimum road frontage shall be:
 1. Two hundred (200) feet per dwelling unit for residential uses, and,
 2. Two hundred (200) feet for commercial, industrial and other non-residential uses involving one or more buildings;
- (b) These requirements apply to any privately or publicly owned road that is used for public access, including roads used by the public for access to remote camps.
- (c) Where the lot is located at the end of a road or on a circular turnaround with an outside diameter of less than 25 feet, the road frontage requirements shall not apply.
- (d) Frontage shall be measured along the right of way between the points of intersection of side lot lines.

7.04 MINIMUM SETBACKS:

- (a) The minimum setbacks for single family detached dwelling units shall be:
 - 1. One hundred (100) feet from the nearest shoreline;
 - 2. Seventy-five (75) feet from the edge of the right of way;
 - 3. Twenty-five (25) feet from the side and rear property lines.
- (b) The minimum setbacks for multiple family dwelling unit housing and commercial, industrial, and other non-residential buildings shall be:
 - 1. One hundred (100) feet from the nearest shoreline;
 - 2. Seventy-five (75) feet from the centerline of all roadways; and
 - 3. Twenty-five (25) feet from the side and rear property lines.
- (c) "Setback" shall mean the minimum horizontal distance from the lot line, shoreline, or road to the nearest part of the building.
- (d) The shoreline shall be the normal high water mark of an inland wetland.
- (e) These requirements apply to any privately or publicly owned road that is used for public access.
- (f) With respect to garages accessory to residential uses, the minimum road setback shall be seventy-five (75) feet.

7.05 MAXIMUM LOT COVERAGE:

- (a) The maximum lot coverage shall be thirty percent (30%) for all uses involving one or more buildings.
- (b) "Coverage" shall be calculated by determining the percentage of lot area covered by all structures.

7.06 MAXIMUM BUILDING HEIGHT:

- (a) The maximum building height shall be:
 - 1. Thirty-five (35) feet for residential uses; and
 - 2. Thirty-five (35) feet for commercial, industrial, and other non-residential uses involving one

or more buildings.

- (b) Features of buildings which contain no floor area such as chimneys, towers, ventilators and spires may exceed these maximum heights with the Board's approval.

7.07 DIMENSIONAL REQUIREMENTS WAIVERS:

- (a) Where an applicant proposes a cluster form of development satisfactory to the Board, including multiple family attached housing, the Board may reduce shoreline and/or road frontage requirements by an amount it deems appropriate, but not more than 50%.
- (b) The dimensional requirements applicable to DD-P Developmental Subdistricts shall be established by the Board.
- (c) Notwithstanding any other provision of these regulations, in a proposed subdivision, or in other areas where there is or is likely to be relatively dense development, the Board may increase the minimum lot size required where the Board determines:
 - 1. That such a larger size lot is required to provide sufficient area of suitable soil to accommodate the principal building and accessory structures, the on-site subsurface sewage disposal facility, a site for an alternative on-site subsurface sewage disposal system, and all applicable setback and other requirements for structures and disposal systems, and
 - 2. Where the site proposed by the applicant has soils or is in an area where ground water contamination may occur, that the density of development in the vicinity of the proposed site may be greater than the density allowed pursuant to subsections 7.01 through 7.06 of these dimensional requirements.
- (d) An exception may be made to the shoreline and/or road setback requirements for buildings where the Board finds that:
 - 1. Such buildings must be located near to the shoreline or road due to the nature of their use; or
 - 2. There is a concentration of other similar legally existing buildings in the immediate vicinity which are located nearer to the shoreline or road than the setback requirements allow. No exception will be granted unless the applicant shows that the siting, color, configuration, height, size, and

COOS COUNTY UNINCORPORATED PLACES ZONING ORDINANCE

other design elements of such buildings will fit harmoniously into the surrounding natural and man-made environment, and that the construction and use of such buildings will not adversely affect water quality.

Article VIII: SIGNS

This section contains sign standards for the Unincorporated Places. NO SIGN SHALL BE ERECTED WITHOUT A PERMIT.

8.01 ON-PREMISES SIGNS: Subject to the provisions of this Chapter, owners or occupants of real property may erect and maintain on-premise signs advertising the sale or lease thereof or activities being conducted thereon. Such signs, except roof signs, shall be subject to the regulations set forth below.

(a) On-premise signs shall not exceed in size the area limitations set forth below:

| <u>District/Subdistricts</u> | <u>Maximum Size for Each Individual Sign (sq.ft.)</u> | <u>Maximum Aggregate Area of all Signs for Facility Bein Advertised (sq.ft)</u> |
|------------------------------|---|---|
| DD-G, DD-P, DD-R, MD | 100 | 100 |
| All PD subdistricts | 6 | 12 |

- (b) On-premise signs shall not be located more than 1,000 ft. from the building or other particular site at which the activity advertised is conducted;
- (c) Signs advertising the sale or lease of real estate by the owner or his agent shall not have an area of more than 6 sq. ft., except signs advertising a subdivision which shall be limited in size as provided by Subsection (a);
- (d) On-premises signs, other than wall or projecting signs, shall not extend more than 15 ft. above ground level, and shall not have a supporting structure which extends more than two feet above such sign;
- (e) Projecting signs must be at least 9 feet above pedestrian level and may project no more than 2 feet from the building; and
- (f) Signs attached to a wall shall not extend above the top of the wall.

On-premise signs, including all roof signs, which are not in conformance with the preceding requirements may be allowed only under the provisions of a permit from the Board.

8.02 CRITERIA FOR SIGN APPROVAL: In approving, conditionally approving, or denying any application for a sign permit, the Board shall require that the applicant demonstrate that the proposed sign complies with the following:

- (a) that the sign is compatible with the overall design of

COOS COUNTY UNINCORPORATED PLACES ZONING ORDINANCE

- the building height, color, bulk, materials and other design and occupancy elements;
- (b) that the color, configuration, height, size, and other design elements of the sign will fit harmoniously into the surrounding natural and man-made environment;
 - (c) that the sign will not constitute a hazard to the flow of traffic; and
 - (d) that the applicant sufficiently demonstrates the need for any non-conformity with the size, height, and other limitations.
- 8.03 EXEMPT SIGNS: The following signs are exempt from the requirements of this Chapter:
- (a) Signs identifying stops or traffic limits of common carriers;
 - (b) Signs erected and maintained outside the highway right-of-way, by a governmental body, showing places of interest (other than commercial establishments), the place and time of services or meetings of churches and civic organizations. Not more than two such signs may be erected and maintained which are readable by traffic proceeding in any one direction on any one highway in any one unincorporated place;
 - (c) Residential directional signs, each of which does not exceed 4 sq.ft. in area, along roadways other than limited access highways;
 - (d) Traffic control signs or devices;
 - (e) Signs displayed for the direction, instruction or convenience of the public, including signs which identify rest rooms, freight entrances, posted areas, property boundaries, trails, fire precautions, campsites, or the like, with a total surface area not exceeding 12 sq. ft. This exemption shall not apply to signs, visible from any public roadway, promoting or advertising commercial enterprises;
 - (f) Signs to be maintained for not more than six weeks announcing an auction, public supper, lawn sale, campaign drive or other like event of a public, civic, philanthropic or religious organization;
 - (g) Signs erected by fairs and/or expositions for a period not to exceed six weeks;
 - (h) Directional signs visible from a public roadway with a total surface area not to exceed 4 sq. ft. providing directions to places of business offering for sale

agricultural products harvested or produced on the premises where the sale is taking place;

- (i) Signs displayed in building windows, provided that the aggregate area of such signs does not exceed 25% of the area of the window; and
- (j) Official business directional signs.

The preceding dimensional and/or time limitations may be exceeded only under the provisions of a permit from the Board.

8.04 REGULATIONS APPLYING TO ALL SIGNS: Notwithstanding any other provisions of this Chapter, no sign may be erected or maintained visible from a public roadway which;

- (a) Interferes with, imitates or resembles any official traffic control sign, signal or device, or attempts or appears to attempt, to direct the movement of traffic;
- (b) Prevents the driver of a motor vehicle from having a clear and unobstructed view of official traffic control signs and approaching or merging traffic;
- (c) Contains, includes, or is illuminated by any flashing, intermittent or moving lights, moves or has any animated or moving parts, except that this restriction shall not apply to a traffic control sign;
- (d) Has any lighting, unless such lighting is shielded so as to effectively prevent beams or rays of light from being directed at any portion of the main traveled way of roadway, or is of such low intensity or brilliance as not to cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with the operation thereof;
- (e) Is in violation of, or at variance with, any federal law or regulation, including, but not limited to, one containing or providing for conditions to, or affecting the allocation of federal highway or other funds to or, or for the benefit of, the State or any political subdivision thereof, or conflicts with the NH Statute RSA 236:69 to 236.90;
- (f) Is in violation of, or at variance with, any other applicable State law or regulation;
- (g) Advertises activities which are illegal under any state or federal law applicable at the location of the sign or of the activities;
- (h) Is not clean or in good repair;

COOS COUNTY UNINCORPORATED PLACES ZONING ORDINANCE

- (i) Is not securely affixed to a substantial structure; or
- (j) Spelling and grammar shall be correct with exceptions made for trade names and/or slogans.

Any sign which is a combination of exempt and/or non-exempt signs shall be regulated by the most protective standards applicable.

Article IX: NON-CONFORMANCE

- 9.01 RIGHT TO CONTINUE: Any legal use that exists at the effective date of this Ordinance but which would not be permitted under the provisions herein shall be allowed to continue as a legal nonconforming use.
- 9.02 REBUILDING AFTER CATASTROPHE: Any nonconforming use that is destroyed may be rebuilt to its former extent of non conformance within a one (1) year period.
- 9.03 ABANDONMENT: Any nonconforming use that is discontinued or abandoned for a period of one (1) year or more cannot be resumed but can be replaced by a conforming use.

COOS COUNTY UNINCORPORATED PLACES ZONING ORDINANCE

Article X: ADMINISTRATION AND ENFORCEMENT

- 10.01 ADMINISTRATIVE OFFICIAL: It shall be the duty of an appointed Inspector to administer and enforce the provisions of this Ordinance. Appointment will be made by the Board of County Commissioners.
- 10.02 PERMIT REQUIRED: It shall be unlawful for any person to erect, construct, reconstruct, or alter a structure without applying for and receiving from the County a building permit. It shall be unlawful for any person to change the use or lot coverage, or extend or displace the use of any building, structure or lot without applying for and receiving from the County a use permit.

Application forms for Building Permits shall be accompanied by a plot plan showing all lot and required yard dimensions, the site and location of all buildings and uses, driveway locations, and all other such information as may be required by the County to process said applications. The proposed handling of water supply and sewerage disposal shall be described on all applications, shown on the plot plan, and accompanied by all required approval permits from the State.

- 10.03 PREVIOUSLY APPROVED PERMIT: Nothing in this Ordinance shall require changes in the plans, construction and/or use of any structure and/or lot for which a lawful permit has been issued or otherwise lawfully authorized within one (1) year before the effective date of this Ordinance, provided such construction or use shall be actively started within sixty (60) days and completed within one (1) year of the effective date of this Ordinance.
- 10.04 CERTIFICATE OF USE AND OCCUPANCY REQUIRED: It shall be unlawful to occupy any structure or lot for which a building permit is required herein unless the owner has applied for and received from the County a certificate of use and/or occupancy. This form will be completed by the County. Certificate of Occupancy shall be issued when a project is in conformance with the ordinance and any conditions attached to a permit by the Planning Board. Failure of the County to act within ten (10) days of receipt of a completed application shall be considered approval.

The certificate of occupancy shall state that the building and use comply with the provisions of the Zoning Ordinance in effect at the time of issuance. No such certificate shall be issued unless the building and its use and its accessory uses of all premises are in conformity with the provisions of this Ordinance at the time of issuance. A certificate of occupancy shall be conditional on the adequacy of parking space and other facilities as required by this Ordinance and shall lapse

upon a finding by the Board that such areas and facilities are used for other purposes.

A certificate of occupancy shall be required for any of the following in conformity with this Ordinance:

- (a) Occupancy and use of a building hereafter erected after the effective date of this ordinance or structural alteration requiring a building permit.
- (b) Change in use of an existing building or land to a use of a different zoning classification whether or not said use is permitted by right.

Certificate of occupancy may be applied for coincidentally with the application for a building permit, and shall be issued within ten (10) days after, not before, the lawful erection or alteration of the building is complete. Such Certificate of Occupancy shall be posted by the owner of the property in a conspicuous place for a period of not less than ten (10) days after issuance.

- 10.05 PERMIT AND CERTIFICATE FEES: Fees shall be established by the County.
- 10.06 PERMIT TIME LIMITS: Any work for which a permit has been issued by the County for the construction of buildings shall be actively started within one (1) year. Failure to actively start work within this time limitation shall result in a lapse of the permit. All work for which the permit has been issued by the County shall be completed within two (2) years of the date of the issuance of the permit, provided that any permit issued for a project which actively started for one (1) year shall be extended at the discretion of the County.
- 10.07 VIOLATIONS: The County shall serve the NOTICE OF VIOLATION AND ORDER to any owner or person responsible for the erection, construction, reconstruction, conversion, alteration of a structure or change in use, increase in intensity of use, or extension or displacement of use of any structure or lot in violation of any approved plan, information or drawing pertinent thereto; or in violation of a permit or certificate issued under the provisions of this Ordinance, and such order shall direct the immediate discontinuance of this unlawful action, use or condition and the abatement of the violation. Any owner who has been served with a Notice and ceased any work or other activity, shall not leave any structure or lot in such a condition as to be a hazard or menace to the public safety, health, morals or general welfare.
- 10.08 PROSECUTION OF VIOLATION: If any NOTICE OF VIOLATION AND ORDER is not complied with promptly, the County shall institute the appropriate action or proceeding of law or

COOS COUNTY UNINCORPORATED PLACES ZONING ORDINANCE

in equity to prevent any unlawful action, use or condition and to restrain, correct or abate such violation.

- 10.09 PENALTY: Any person violating any of the provisions of this Ordinance shall for each violation, upon conviction thereof, pay fines and penalties as authorized in N.H. RSA 676:17. All penalties authorized by RSA 676:17 are hereby incorporated into this Ordinance.

Article XI: BOARD OF ADJUSTMENT

- 11.01 MEMBERSHIP: Members of the Zoning Board of Adjustment and alternates shall be selected by the Board of County Commissioners after the effective date of this Ordinance.
- 11.02 OATH OF OFFICE: Members of the Zoning Board of Adjustment shall take an appropriate oath of office as required by RSA 42:1. The County records shall clearly show the dates of appointments and expiration of the terms. Appointments made to fill unexpired terms shall be for the remainder of the term. State law further requires county residency for Board members.
- 11.03 POWERS AND DUTIES: The Board of Adjustment shall have the powers and duties prescribed by RSA 674:33.
- 11.04 ORGANIZATION: RSA 673:8 The Board shall elect its chairman from its members and may create other offices as it deems necessary. The term of every officer and chairman elected shall be one (1) year. Both chairman and officers shall be eligible for re-election.
- 11.05 PROCEDURES: RSA 676:1 The Board shall adopt rules of procedure concerning the method of conducting its business. Rules of procedure shall be adopted at a regular meeting of the Board and shall be placed on file with the County Register of Deeds for public inspection.
- 11.06 APPEALS: RSA 676:5-7
 - (a) All appeals and applications made to the Board of Adjustment shall be in writing, on forms prescribed by the Board. Every appeal or application shall refer to the specific provisions of the Ordinance involved, and shall exactly set forth the interpretation that is claimed, the use for which the special permit is sought, or the details of the variance that is applied for and the grounds on which it is claimed that the variance should be granted, as the case may be.
 - (b) Public hearings and notice shall be held in compliance with RSA 676:7.
 - (c) Every decision of the Board of Adjustment shall be by resolution, each of which shall contain a full record of the findings of the Zoning Board of Adjustment in the particular case.
- 11.07 SUBSEQUENT APPLICATIONS: When an application is submitted, the files should be reviewed to determine if a previous application was denied for the same situation. If so, the Board should determine if circumstances have changed sufficiently to warrant acceptance of a reapplication.

Article XII: VARIANCES

A variance is a relaxation or setting aside in a specific case, of certain specified terms of this ordinance. In accordance with RSA 674:33 I(b), the Board of Adjustment may grant in specific cases such variances as will not be contrary to the public interest owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice done.

12.01 SPECIFIC REQUIREMENTS:

The Board of Adjustment may authorize a variance where it finds that all of the following conditions apply:

- a. The proposed use will not diminish surrounding property values;
- b. Granting the variance will be in the public interest;
- c. The use will not be contrary to the spirit of the ordinance;
- d. By granting the variance substantial justice will be done;
- e. Denial of a variance would result in unnecessary hardship to the owner.

12.02 APPLICATION:

Before applying for a variance, the applicant shall submit to the Zoning Board of Adjustment a determination that the proposed use is not permitted without a variance. This determination may take any of the following forms:

- a. A building permit denial;
- b. A notification in writing from the Planning Board that it lacks jurisdiction to grant a site plan or subdivision approval;
- c. A notification in writing from the County Commissioners, an Historic Commission or other cognizant county board or official that the proposed use does not conform to the ordinance.

The application process shall follow the standards in Article XI of this ordinance.

12.03 APPLICATION DISPOSITION:

The Zoning Board of Adjustment may approve, approve with conditions, or deny applications for variances following the procedures in Article XI of this ordinance.

12.04 REHEARINGS:

Within twenty (20) days after any decision or order of the Zoning Board of Adjustment, any party to the action or proceeding, or

any person directly affected thereby, may apply for a rehearing in respect to any matter determined in the action or proceeding or covered or included in the order in accord with RSA 677:2. A Motion for Rehearing shall set forth fully every ground upon which it is claimed that the decision or order complained of is unlawful or unreasonable. No appeal from any order or decision of the Zoning Board of Adjustment shall be taken unless the applicant shall have made application for rehearing as provided in RSA 677:2 and no ground not set forth in the application shall be urged, relied on, or given any consideration by a court except as provided in RSA 677:3. The Board of Adjustment shall, within 10 days after a Motion for Rehearing is filed, either grant or deny the motion or suspend the order or decision complained of pending further consideration.

Article XIII: MISCELLANEOUS LEGAL PROVISIONS

- 13.01 AMENDMENT: Amendments to regulations and district boundaries set forth in this Ordinance proposed by the Planning Board, County Commissioners or petition of voters shall be acted upon in accordance with the procedures set forth in RSA 675.
- 13.02 VALIDITY: Should any provision of this Ordinance be declared by the courts to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or any other section or provision thereof.
- 13.03 CONFLICT WITH OTHER LAWS: Whenever the requirements of this Ordinance conflict with the requirements of any other lawfully adopted rules, regulations or ordinances, the most restrictive or higher standards shall apply.
- 13.04 EFFECTIVE DATE: The Ordinance and Map shall become effective immediately upon its passage on April 20, 1991.

| musys | muname | lot size |
|-------|--|----------|
| G | Medomak Variant silt loam | |
| 15 | Searsport fine sandy loam | VP |
| 22A | Colton fine sandy loam, 0 to 3 percent slopes | VP |
| 22B | Colton fine sandy loam, 3 to 8 percent slopes | 40,000 |
| 22C | Colton fine sandy loam, 8 to 15 percent slopes | 40,000 |
| 22E | Colton gravelly fine sandy loam, 15 to 60 percent slopes | 45,000 |
| 23A | Masardis fine sandy loam, 0 to 3 percent slopes | N/A |
| 23B | Masardis fine sandy loam, 3 to 8 percent slopes | 40,000 |
| 23C | Masardis fine sandy loam, 8 to 15 percent slopes | 40,000 |
| 23E | Masardis gravelly sandy loam, 15 to 60 percent slopes | 45,000 |
| 27A | Groveton very fine sandy loam, 0 to 3 percent slopes | N/A |
| 27B | Groveton very fine sandy loam, 3 to 8 percent slopes | 40,000 |
| 27C | Groveton very fine sandy loam, 8 to 15 percent slopes | 40,000 |
| 28A | Madawaska very fine sandy loam, 0 to 3 percent slopes | 45,000 |
| 28B | Madawaska very fine sandy loam, 3 to 8 percent slopes | 60,000 |
| 36A | Adams loamy sand, 0 to 3 percent slopes | 60,000 |
| 36B | Adams loamy sand, 3 to 8 percent slopes | 40,000 |
| 36C | Adams loamy sand, 8 to 15 percent slopes | 40,000 |
| 36E | Adams loamy sand, 15 to 60 percent slopes | 45,000 |
| 54B | Hermon sandy loam, 3 to 8 percent slopes | N/A |
| 54C | Hermon sandy loam, 8 to 15 percent slopes | 40,000 |
| 54D | Hermon sandy loam, 15 to 25 percent slopes | 45,000 |
| 55B | Hermon sandy loam, 3 to 8 percent slopes, very stony | 60,000 |
| 55C | Hermon sandy loam, 8 to 15 percent slopes, very stony | 40,000 |
| 55D | Hermon sandy loam, 15 to 25 percent slopes, very stony | 45,000 |
| 55E | Hermon sandy loam, 25 to 35 percent slopes, very stony | 60,000 |
| 56B | Becket fine sandy loam, 3 to 8 percent slopes | N/A |
| 56C | Becket fine sandy loam, 8 to 15 percent slopes | 50,000 |
| 56D | Becket fine sandy loam, 15 to 25 percent slopes | 75,000 |
| 57B | Becket fine sandy loam, 3 to 8 percent slopes, very stony | 100,000 |
| 57C | Becket fine sandy loam, 8 to 15 percent slopes, very stony | 50,000 |
| 57D | Becket fine sandy loam, 15 to 25 percent slopes, very stony | 75,000 |
| 57E | Becket fine sandy loam, 25 to 35 percent slopes, very stony | 100,000 |
| 58E | Waumbek sandy loam, 3 to 8 percent slopes | N/A |
| 58C | Waumbek sandy loam, 8 to 15 percent slopes | 50,000 |
| 59B | Waumbek sandy loam, 3 to 8 percent slopes, very stony | 75,000 |
| 59C | Waumbek sandy loam, 8 to 15 percent slopes, very stony | 50,000 |
| 59D | Waumbek sandy loam, 15 to 25 percent slopes, very stony | 75,000 |
| 70B | Tunbridge-Berkshire complex, 3 to 8 percent slopes | 100,000 |
| 70C | Tunbridge-Berkshire complex, 8 to 15 percent slopes | 60,000 |
| 70D | Tunbridge-Berkshire complex, 15 to 25 percent slopes | 80,000 |
| 71B | Lyman-Berkshire-Rock outcrop complex, 3 to 8 percent slopes | 120,000 |
| 71C | Lyman-Berkshire-Rock outcrop complex, 8 to 15 percent slopes | 80,000 |
| 71D | Lyman-Berkshire-Rock outcrop complex, 15 to 25 percent slopes | 100,000 |
| 71E | Lyman-Berkshire-Rock outcrop complex, 25 to 35 percent slopes | 160,000 |
| 72B | Berkshire fine sandy loam, 3 to 8 percent slopes | N/A |
| 72C | Berkshire fine sandy loam, 8 to 15 percent slopes | 40,000 |
| 72D | Berkshire fine sandy loam, 15 to 25 percent slopes | 45,000 |
| 73B | Berkshire fine sandy loam, 3 to 8 percent slopes, very stony | 60,000 |
| 73C | Berkshire fine sandy loam, 8 to 15 percent slopes, very stony | 40,000 |
| 73D | Berkshire fine sandy loam, 15 to 25 percent slopes, very stony | 45,000 |
| 73E | Berkshire fine sandy loam, 25 to 35 percent slopes, very stony | 60,000 |
| 76B | Marlow fine sandy loam, 3 to 8 percent slopes | N/A |
| 76C | Marlow fine sandy loam, 8 to 15 percent slopes | 50,000 |
| 76D | Marlow fine sandy loam, 15 to 25 percent slopes | 75,000 |
| 77B | Marlow fine sandy loam, 3 to 8 percent slopes, very stony | 100,000 |
| 77C | Marlow fine sandy loam, 8 to 15 percent slopes, very stony | 50,000 |
| | | 75,000 |

| | | |
|------|---|---------|
| 77D | Marlow fine sandy loam, 15 to 25 percent slopes, very stony | 100,000 |
| 77E | Marlow fine sandy loam, 25 to 35 percent slopes, very stony | N/A |
| 78B | Peru fine sandy loam, 3 to 8 percent slopes | 60,000 |
| 78C | Peru fine sandy loam, 8 to 15 percent slopes | 90,000 |
| 79B | Peru fine sandy loam, 3 to 8 percent slopes, very stony | 60,000 |
| 79C | Peru fine sandy loam, 8 to 15 percent slopes, very stony | 90,000 |
| 79D | Peru fine sandy loam, 15 to 25 percent slopes, very stony | 120,000 |
| 101 | Ondawa fine sandy loam | N/A |
| 102 | Sunday loamy sand | N/A |
| 104 | Podunk fine sandy loam | N/A |
| 105 | Rumney fine sandy loam | PD |
| 142B | Monadnock fine sandy loam, 3 to 8 percent slopes | 40,000 |
| 142C | Monadnock fine sandy loam, 8 to 15 percent slopes | 45,000 |
| 142D | Monadnock fine sandy loam, 15 to 25 percent slopes | 60,000 |
| 143B | Monadnock fine sandy loam, 3 to 8 percent slopes, very stony | 40,000 |
| 143C | Monadnock fine sandy loam, 8 to 15 percent slopes, very stony | 45,000 |
| 143D | Monadnock fine sandy loam, 15 to 25 percent slopes, very stony | 60,000 |
| 143E | Monadnock fine sandy loam, 25 to 35 percent slopes, very stony | N/A |
| 145C | Monadnock fine sandy loam, 8 to 15 percent slopes, extremely bouldery | 45,000 |
| 154B | Success gravelly loamy coarse sand, 3 to 8 percent slopes | 40,000 |
| 154C | Success gravelly loamy coarse sand, 8 to 15 percent slopes | 45,000 |
| 154D | Success gravelly loamy coarse sand, 15 to 25 percent slopes | 60,000 |
| 155B | Success gravelly loamy coarse sand, 3 to 8 percent slopes, very stony | 40,000 |
| 155C | Success gravelly loamy coarse sand, 8 to 15 percent slopes, very stony | 45,000 |
| 155D | Success gravelly loamy coarse sand, 15 to 25 percent slopes, very stony | 60,000 |
| 155E | Success gravelly loamy coarse sand, 25 to 35 percent slopes, very stony | N/A |
| 156C | Success gravelly loamy coarse sand, 8 to 15 percent slopes, extremely bouldery | 45,000 |
| 168B | Sunapee fine sandy loam, 3 to 8 percent slopes | 50,000 |
| 168C | Sunapee fine sandy loam, 8 to 15 percent slopes | 75,000 |
| 169B | Sunapee fine sandy loam, 3 to 8 percent slopes, very stony | 50,000 |
| 169C | Sunapee fine sandy loam, 8 to 15 percent slopes, very stony | 75,000 |
| 169D | Sunapee fine sandy loam, 15 to 25 percent slopes, very stony | 100,000 |
| 195 | Borofibrists | VP |
| 199 | Dumps, bark chips and organic material | OS |
| 208 | Fryeburg very fine sandy loam | N/A |
| 209 | Charles silt loam | PD |
| 214A | Naumburg fine sandy loam, 0 to 3 percent slopes | PD |
| 214B | Naumburg fine sandy loam, 3 to 8 percent slopes | PD |
| 260B | Lombard-Winnecock complex, 3 to 8 percent slopes | 50,000 |
| 260C | Lombard-Winnecock complex, 8 to 15 percent slopes | 75,000 |
| 260D | Lombard-Winnecock complex, 15 to 25 percent slopes | 100,000 |
| 260E | Lombard-Winnecock complex, 25 to 60 percent slopes | N/A |
| 273E | Berkshire, Monadnock, and Hermon soils, 15 to 35 percent slopes, extremely bouldery | N/A |
| 295 | Greenwood mucky peat | VP |
| 298 | Pits, gravel | OS |
| 309 | Lovewell very fine sandy loam | N/A |
| 355C | Hermon sandy loam, 8 to 15 percent slopes, extremely bouldery | 45,000 |
| 373C | Berkshire fine sandy loam, 8 to 15 percent slopes, extremely bouldery | 45,000 |
| 395 | Chocorua mucky peat | VP |
| 399 | Rock outcrop | OS |
| 406 | Medomak silt loam | VP |
| 413A | Duane fine sandy loam, 0 to 3 percent slopes | 60,000 |
| 413B | Duane fine sandy loam, 3 to 8 percent slopes | 60,000 |
| 414A | Moosilauke loam, 0 to 3 percent slopes | PD |
| 414B | Moosilauke loam, 3 to 8 percent slopes | PD |
| 415A | Moosilauke loam, 0 to 3 percent slopes, very stony | PD |
| 415B | Moosilauke loam, 3 to 8 percent slopes, very stony | PD |
| 415C | Moosilauke loam, 8 to 15 percent slopes, very stony | PD |
| 433A | Grange silt loam, 0 to 5 percent slopes | PD |
| 495 | Ossipee mucky peat | VP |
| 501 | Abenaki very fine sandy loam | N/A |

| | | |
|------|--|---------|
| 504 | Metallak very fine sandy loam | N/A |
| 505 | Cohas loam | PD |
| 5208 | Machias fine sandy loam, 1 to 8 percent slopes | 60,000 |
| 523A | Stetson fine sandy loam, 0 to 3 percent slopes | 40,000 |
| 523B | Stetson fine sandy loam, 3 to 8 percent slopes | 40,000 |
| 523C | Stetson fine sandy loam, 8 to 15 percent slopes | 45,000 |
| 523E | Stetson fine sandy loam, 15 to 60 percent slopes | N/A |
| 549 | Peacham muck, very stony | VP |
| 558B | Skerry fine sandy loam, 3 to 8 percent slopes | 60,000 |
| 559C | Skerry fine sandy loam, 8 to 15 percent slopes | 90,000 |
| 558D | Skerry fine sandy loam, 15 to 25 percent slopes | 120,000 |
| 559B | Skerry fine sandy loam, 3 to 8 percent slopes, very stony | 60,000 |
| 559C | Skerry fine sandy loam, 8 to 15 percent slopes, very stony | 90,000 |
| 559D | Skerry fine sandy loam, 15 to 25 percent slopes, very stony | 120,000 |
| 560B | Winnecook-Plaisted-Thorndike complex, 3 to 8 percent slopes | 80,000 |
| 560C | Winnecook-Plaisted-Thorndike complex, 8 to 15 percent slopes | 100,000 |
| 560D | Winnecook-Plaisted-Thorndike complex, 15 to 25 percent slopes | 140,000 |
| 560E | Winnecook-Plaisted-Thorndike complex, 25 to 35 percent slopes | N/A |
| 561B | Winnecook-Plaisted-Thorndike complex, 3 to 8 percent slopes, very stony | 80,000 |
| 561C | Winnecook-Plaisted-Thorndike complex, 8 to 15 percent slopes, very stony | 100,000 |
| 562D | Winnecook-Thorndike-Rock outcrop complex, 15 to 25 percent slopes | 160,000 |
| 562E | Winnecook-Thorndike-Rock outcrop complex, 25 to 35 percent slopes | N/A |
| 563B | Plaisted silt loam, 3 to 8 percent slopes | 50,000 |
| 563C | Plaisted silt loam, 8 to 15 percent slopes | 75,000 |
| 563D | Plaisted silt loam, 15 to 25 percent slopes | 100,000 |
| 564B | Plaisted silt loam, 3 to 8 percent slopes, very stony | 50,000 |
| 564C | Plaisted silt loam, 8 to 15 percent slopes, very stony | 75,000 |
| 564D | Plaisted silt loam, 15 to 25 percent slopes, very stony | 100,000 |
| 564E | Plaisted silt loam, 25 to 35 percent slopes, very stony | N/A |
| 566B | Howland silt loam, 3 to 8 percent slopes | 60,000 |
| 566C | Howland silt loam, 8 to 15 percent slopes | 90,000 |
| 566D | Howland silt loam, 15 to 25 percent slopes | 120,000 |
| 567B | Howland silt loam, 3 to 8 percent slopes, very stony | 60,000 |
| 567C | Howland silt loam, 8 to 15 percent slopes, very stony | 90,000 |
| 567D | Howland silt loam, 15 to 25 percent slopes, very stony | 120,000 |
| 569A | Monarda silt loam, 0 to 3 percent slopes | PD |
| 569B | Monarda silt loam, 3 to 8 percent slopes | PD |
| 569C | Monarda silt loam, 8 to 15 percent slopes | PD |
| 570A | Monarda silt loam, 0 to 3 percent slopes, very stony | PD |
| 570B | Monarda silt loam, 3 to 8 percent slopes, very stony | PD |
| 570C | Monarda silt loam, 8 to 15 percent slopes, very stony | PD |
| 572B | Bangor silt loam, 3 to 8 percent slopes | 40,000 |
| 572C | Bangor silt loam, 8 to 15 percent slopes | 45,000 |
| 572D | Bangor silt loam, 15 to 25 percent slopes | 60,000 |
| 573B | Bangor silt loam, 3 to 8 percent slopes, very stony | 40,000 |
| 573C | Bangor silt loam, 8 to 15 percent slopes, very stony | 45,000 |
| 573D | Bangor silt loam, 15 to 25 percent slopes, very stony | 60,000 |
| 573E | Bangor silt loam, 25 to 35 percent slopes, very stony | N/A |
| 578B | Dixmont silt loam, 3 to 8 percent slopes | 50,000 |
| 578C | Dixmont silt loam, 8 to 15 percent slopes | 75,000 |
| 578D | Dixmont silt loam, 15 to 25 percent slopes | 100,000 |
| 579B | Dixmont silt loam, 3 to 8 percent slopes, very stony | 50,000 |
| 579C | Dixmont silt loam, 8 to 15 percent slopes, very stony | 75,000 |
| 579D | Dixmont silt loam, 15 to 25 percent slopes, very stony | 100,000 |
| 613B | Croghan loamy fine sand, 1 to 8 percent slopes | 60,000 |
| 630A | Salmon very fine sandy loam, 0 to 3 percent slopes | 40,000 |
| 630B | Salmon very fine sandy loam, 3 to 8 percent slopes | 40,000 |
| 630C | Salmon very fine sandy loam, 8 to 15 percent slopes | 45,000 |
| 630D | Salmon very fine sandy loam, 15 to 35 percent slopes | 60,000 |
| 632A | Nicholville very fine sandy loam, 0 to 3 percent slopes | 75,000 |
| 632B | Nicholville very fine sandy loam, 3 to 8 percent slopes | 75,000 |

| | | |
|------|--|---------|
| 632C | Nicholville very fine sandy loam, 8 to 15 percent slopes | 100,000 |
| 633A | Pemi silt loam, 0 to 5 percent slopes | PD |
| 646A | Pillsbury sandy loam, 0 to 3 percent slopes | PD |
| 646B | Pillsbury sandy loam, 3 to 8 percent slopes | PD |
| 646C | Pillsbury sandy loam, 8 to 15 percent slopes | PD |
| 647A | Pillsbury sandy loam, 0 to 3 percent slopes, very stony | PD |
| 647B | Pillsbury sandy loam, 3 to 8 percent slopes, very stony | PD |
| 647C | Pillsbury sandy loam, 8 to 15 percent slopes, very stony | PD |
| 697 | Peacham, Greenwood, and Rumney soils, ponded | VP |
| 701B | Becket-Skerry association, gently sloping, very stony | 03 |
| 701D | Becket-Skerry association, moderately steep, very stony | 03 |
| 711B | Monadnock-Hermon association, undulating, very stony | 03 |
| 711D | Monadnock-Hermon association, hilly, very stony | 03 |
| 711E | Monadnock-Hermon association, steep, very stony | 03 |
| 719E | Marlow-Tunbridge association, steep, very stony | 03 |
| 721D | Peru-Marlow association, moderately steep, very stony | 03 |
| 726C | Rock outcrop-Lyman complex, strongly sloping | 03 |
| 726F | Rock outcrop-Lyman complex, very steep | 03 |
| 727 | Rubble land | 03 |
| 734D | Surplus-Sisk association, moderately steep, very stony | 03 |
| 736E | Sisk-Glebe association, steep, very stony | 03 |
| 737B | Surplus-Sisk-Monarda variant association, gently sloping, very stony | 03 |
| 738B | Glebe-Saddleback-Sisk association, gently sloping, very stony | 03 |
| 738D | Glebe-Saddleback-Sisk association, moderately steep, very stony | 03 |
| 738E | Glebe-Saddleback-Sisk association, steep, very stony | 03 |
| 750B | Saddleback-Glebe-Rickler association, gently sloping, very stony | 03 |
| 750D | Saddleback-Glebe-Rickler association, moderately steep, very stony | 03 |
| 750E | Saddleback-Glebe-Rickler association, steep, very stony | 03 |
| 760B | Winnecook-Plaisted bedrock substratum-Plaisted association, gently sloping, very stony | 03 |
| 760D | Winnecook-Plaisted bedrock substratum-Plaisted association, moderately steep, very stony | 03 |
| 762B | Plaisted-Howland association, gently sloping, very stony | 03 |
| 762D | Plaisted-Howland association, moderately steep, very stony | 03 |
| 764B | Howland-Plaistow-Monarda association, gently sloping, very stony | 03 |
| 765B | Monarda-Howland association, gently sloping, very stony | 03 |
| 767A | Peacham-Ossipee-Monarda association, nearly level, very stony | 03 |
| 773B | Bangor-Dixmont association, undulating, very stony | 03 |
| 773D | Bangor-Dixmont association, hilly, very stony | 03 |
| 779B | Dixmont-Bangor association, undulating, very stony | 03 |
| 779D | Dixmont-Bangor association, hilly, very stony | 03 |
| 801E | Becket-Marlow association, steep, very stony | 03 |
| 803B | Berkshire-Monadnock association, undulating, very stony | 03 |
| 803D | Berkshire-Monadnock association, hilly, very stony | 03 |
| 803E | Berkshire-Monadnock association, steep, very stony | 03 |
| 804B | Berkshire-Monadnock association, undulating, extremely bouldery | 03 |
| 804D | Berkshire-Monadnock association, hilly, extremely bouldery | 03 |
| 804E | Berkshire-Monadnock association, steep, extremely bouldery | 03 |
| 812B | Monadnock-Hermon association, undulating, extremely bouldery | 03 |
| 812D | Monadnock-Hermon association, hilly, extremely bouldery | 03 |
| 812E | Monadnock-Hermon association, steep, extremely bouldery | 03 |
| 817A | Moosilauke-Waumbek association, nearly level, very stony | 03 |
| 820B | Lyman-Tunbridge-Rock outcrop complex, gently sloping | 03 |
| 820D | Lyman-Tunbridge-Rock outcrop complex, moderately steep | 03 |
| 820E | Lyman-Tunbridge-Rock outcrop complex, steep | 03 |
| 821B | Marlow-Peru association, gently sloping, very stony | 03 |
| 821D | Marlow-Peru association, moderately steep, very stony | 03 |
| 823B | Peru-Marlow-Pillsbury association, gently sloping, very stony | 03 |
| 825B | Pillsbury-Peacham-Peru association, gently sloping, very stony | 03 |
| 828B | Skerry-Peru association, gently sloping, very stony | 03 |
| 828D | Skerry-Peru association, moderately steep, very stony | 03 |
| 829B | Waumbek-Hermon association, undulating, very stony | 03 |
| 829D | Waumbek-Hermon association, hilly, very stony | 03 |

| | | |
|------|--|----|
| 831A | Peacham-Ossipee-Pillsbury association, nearly level, extremely stony | 03 |
| 834B | Sisk-Surplus association, gently sloping, very stony | 03 |
| 834D | Sisk-Surplus association, moderately steep, very stony | 03 |
| 835C | Ricker-Rock outcrop complex, strongly sloping | 03 |
| 835F | Ricker-Rock outcrop complex, very steep | 03 |
| 840B | Canaan-Redstone association, gently sloping, very stony | 03 |
| 840D | Canaan-Redstone association, moderately steep, very stony | 03 |
| 841D | Canaan-Redstone-Rock outcrop complex, hilly | 03 |
| 841E | Canaan-Redstone-Rock outcrop complex, steep | 03 |
| 860E | Winnecook-Thorndike-Rock outcrop complex, steep | 03 |
| 862E | Plaisted-Winnecook association, steep, very stony | 03 |
| 864D | Howland-Plaisted association, moderately steep, very stony | 03 |
| 865B | Monarda variant-Surplus association, gently sloping, very stony | 03 |
| 869B | | 03 |
| 873E | Bangor-Winnecook association, steep, very stony | 03 |
| 911B | Success-Hermon association, undulating, very stony | 03 |
| 911D | Success-Hermon association, hilly, very stony | 03 |
| 911E | Success-Hermon association, steep, very stony | 03 |
| 912B | Success-Hermon association, undulating, extremely bouldery | 03 |
| 912D | Success-Hermon association, hilly, extremely bouldery | 03 |
| 912E | Success-Hermon association, steep, extremely bouldery | 03 |
| 919B | Tunbridge-Lyman-Marlow association, undulating, very stony | 03 |
| 919D | Tunbridge-Lyman-Marlow association, hilly, very stony | 03 |
| 919E | Tunbridge-Lyman-Marlow association, steep, very stony | 03 |
| 922E | Marlow-Tunbridge association, steep, extremely bouldery | 03 |
| 923B | Marlow-Peru association, gently sloping, extremely bouldery | 03 |
| 923D | Marlow-Peru association, moderately steep, extremely bouldery | 03 |
| 969D | | 03 |

FOOTNOTES

Lot sizes are in square feet.

N/A - Not allowed (these soils generally occur on flood plains or steep slopes).

PD - Poorly drained soils.

VP - Very poorly drained soils.

OS - On site investigation needed.

03 - Order 3 mapping. More detailed soil survey necessary.